

**RECORDATION REQUESTED BY:**

SouthTrust Bank  
Eastwood 318  
5389 Oporto-Madrid Avenue  
Birmingham, AL 35210

**WHEN RECORDED MAIL TO:**

Myra Ray - SouthTrust Bank, Loan Operations  
Mortgage Recording - File Management  
P O Box 2233  
Birmingham, AL 35201

**SEND TAX NOTICES TO:**

GERALD BATTON  
KATHERINE BATTON  
444 SAND RIDGE RD  
LEEDS, AL 35094

3395 BUCKLEBUSH PARKWAY  
SUITE 900  
BIRMINGHAM, AL 35243

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

**MODIFICATION OF MORTGAGE**



\*074000000009546591400011 4\*

**THIS MODIFICATION OF MORTGAGE** dated June 15, 2001, is made and executed between **GERALD BATTON and KATHERINE BATTON; HUSBAND AND WIFE** (referred to below as "Grantor") and SouthTrust Bank, whose address is Eastwood 318, 5389 Oporto-Madrid Avenue, Birmingham, AL 35210 (referred to below as "Lender").

**MORTGAGE.** Lender and Grantor have entered into a Mortgage dated November 27, 1991 (the "Mortgage") which has been recorded in SHELBY County, State of Alabama, as follows:

**RECORDED ON 12-19-91 IN VOLUME 378 PAGE 392.**

**REAL PROPERTY DESCRIPTION.** The Mortgage covers the following described real property located in SHELBY County, State of Alabama:

COMMENCING AT THE SW CORNER OF SAID 26 RUNS EASTWARD ALONG THE SOUTHERN LINE OF SAID SECTION 1700 FEET TO A POINT IF BEGINNING. FROM THE POINT OF BEGINNING THUS OBTAINED RUN NORTH PARALLEL WITH THE WEST LINE OF SAID SECTION 990 FEET; THENCE EAST PARALLEL WITH THE NORTHERN BOUNDARY OF SAID SE 1/4 SW 1/4 OF SAID SECTION 940 FEET MORE OR LESS, TO THE EASTERN BOUNDARY LINE OF SAID 1/4 1/4 SECTION; THENCE SOUTH ALONG SAID LINE MORE OR LESS TO THE POINT OF BEGINNING.

The Real Property or its address is commonly known as 444 SAND RIDGE RD, LEEDS, AL 35094.

**MODIFICATION.** Lender and Grantor hereby modify the Mortgage as follows:

**INCREASE MORTGAGE FROM \$30,000.00 TO \$35,000.00. FOR MORTGAGE TAX PURPOSES, THIS LINE WAS INCREASED BY \$5,000.00.**

**CONTINUING VALIDITY.** Except as expressly modified above, the terms of the original Mortgage shall remain unchanged and in full force and effect and are legally valid, binding, and enforceable in accordance with their respective terms. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Mortgage as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Mortgage (the "Note"). It is the intention of Lender to retain as liable all parties to the Mortgage and all parties, makers and endorers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Mortgage does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

**GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED JUNE 15, 2001. THIS MODIFICATION IS GIVEN UNDER SEAL AND IT IS INTENDED THAT THIS MODIFICATION IS AND SHALL CONSTITUTE AND HAVE THE EFFECT OF A SEALED INSTRUMENT ACCORDING TO LAW.**

**GRANTOR:**

X Gerald Batton (Seal)  
GERALD BATTON, Individually

X Katherine J Batton (Seal)  
KATHERINE BATTON, Individually  
AKA Katherine Batton

**LENDER:**

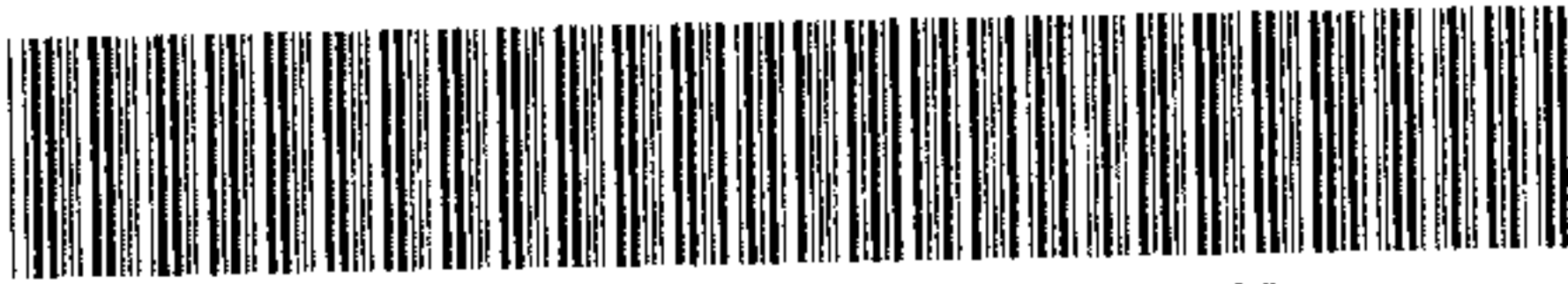
X [Signature] (Seal)  
Authorized Signer

This Modification of Mortgage prepared by:

Name: MICHELE ODOM, PROCESSOR  
Address: 234 GOODWIN CREST DRIVE  
City, State, ZIP: BIRMINGHAM, AL 35209

Inst # 2001-32175

08/02/2001-32175  
01:48 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MSB 21.50



\*074000000009546591400011 4\*

MODIFICATION OF MORTGAGE  
(Continued)

Page 2

INDIVIDUAL ACKNOWLEDGMENT

STATE OF ALABAMA )  
 ) SS  
COUNTY OF SHELBY )

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that GERALD BATTON and KATHERINE BATTON, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said Modification, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 15<sup>th</sup> day of June, 20 01.  
Katherine R. Rogers  
Notary Public

My commission expires 10-06-04

LENDER ACKNOWLEDGMENT

STATE OF ALABAMA )  
 ) SS  
COUNTY OF SHELBY )

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that \_\_\_\_\_ a corporation, is signed to the foregoing and who is known to me, acknowledged before me on this day that, being informed of the contents of said \_\_\_\_\_, he or she, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

ILASER PRO Lending, Reg. U.S. Pat. & T.M. OFF., Ver. 5.12.03 06-10 Concentrix 1997, 2001. All Rights Reserved. AL 5:1CFWVINCFLPLIG201.FD TR-17009B PR-ALHELINC1

Inst # 2001-32175

08/02/2001-32175  
01:48 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MSB 21.50