

RECORDATION REQUESTED BY:

SouthTrust Bank  
Alabaster 336  
831 North First Street  
Alabaster, AL 35007

WHEN RECORDED MAIL TO:

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

SEND TAX NOTICES TO:

FRED SPENCER JR  
BERNICE M SPENCER  
131 CANTER WAY  
ALABASTER, AL 35007

Inst # 2002-09155

02/25/2002-09155  
11:09 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MEL 47.00

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE



\*074000000000950033319100011 2\*

THIS MODIFICATION OF MORTGAGE dated January 24, 2002, is made and executed between FRED SPENCER JR and BERNICE M SPENCER; HUSBAND AND WIFE (referred to below as "Grantor") and SouthTrust Bank, whose address is 831 North First Street, Alabaster, AL 35007 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated January 4, 2001 (the "Mortgage") which has been recorded in SHELBY County, State of Alabama, as follows:

02/06/2001, SHELBY, INSTRUMENT # 2001-04219.

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

THE FOLLOWING DESCRIBED REAL ESTATE, SITUATED IN SHELBY COUNTY, ALABAMA:

LOT 21, IN SADDLE LAKE FARMS CONDOMINIUMS, LOCATED IN SHELBY COUNTY, ALABAMA, AS ESTABLISHED BY DECLARATION OF CONDOMINIUM AS RECORDED IN INSTRUMENT #1995-17533 AND AMENDED BY INSTRUMENT # 1996-21491 AND ARTICLES OF INCORPORATION OF SADDLE LAKE FARMS ASSOCIATION, INC AS RECORDED IN INSTRUMENT # 1995-17530, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS OF SADDLE LAKE FARMS CONDOMINIUMS AS SET OUT IN THE SAID DECLARATION OF CONDOMINIUMS SAID UNIT BEING MORE PARTICULARLY DESCRIBED IN THE FLOOR PLANS AND ARCHITECTURAL DRAWINGS OF SADDLE LAKE FARMS CONDOMINIUMS AS RECORDED IN MAP BOOK 20 PAGE 20 A & B, in PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

The Real Property or its address is commonly known as 131 CANTER WAY, ALABASTER, AL 35007.

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

INCREASE MORTGAGE FROM \$ 28,000 TO \$ 50,000 . FOR MORTGAGE TAX PURPOSES, THIS LINE WAS INCREASED BY \$ 22,000 .

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 endorsers 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 JANUARY 24, 2002.

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 Fred Spencer Jr. (Seal)  
FRED SPENCER JR, Individually

x Bernice M Spencer (Seal)  
BERNICE M SPENCER, Individually

LENDER:

x [Signature] (Seal)  
Authorized Signer

[Signature]  
Authorized Signer.

This Modification of Mortgage prepared by:

Name: MARY SMITH, Loan Processor  
Address: 234 Goodwin Crest Drive  
City, State, ZIP: Birmingham, AL 35209



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MODIFICATION OF MORTGAGE  
(Continued)

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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 **FRED SPENCER JR and BERNICE M SPENCER, HUSBAND AND WIFE**, 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 24 day of January, 2002.  
Barbara Beahm Collins  
Notary Public

My commission expires 11-3-04

LENDER ACKNOWLEDGMENT

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

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 \_\_\_\_\_

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