

RECORDATION REQUESTED BY:

SouthTrust Bank
Riverchase 331
3089 Highway 150 South
Birmingham, AL 35244

20040310000122170 Pg 1/2 130.40
Shelby Cnty Judge of Probate, AL
03/10/2004 09:57:00 FILED/CERTIFIED

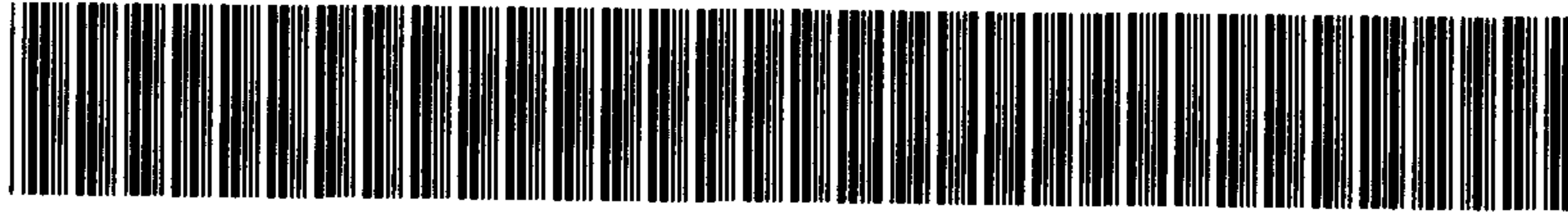
WHEN RECORDED MAIL TO:

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

SEND TAX NOTICES TO:

ROBERT A BEATY JR
CAROL M BEATY
741 DIVIDING RIDGE DR
HOOVER, AL 35244

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE

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THIS MODIFICATION OF MORTGAGE dated February 3, 2004, is made and executed between **ROBERT A BEATY JR and CAROL M BEATY; HUSBAND AND WIFE** (referred to below as "Grantor") and **SouthTrust Bank**, whose address is **3089 Highway 150 South, Birmingham, AL 35244** (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated June 28, 1993 (the "Mortgage") which has been recorded in SHELBY County, State of Alabama, as follows:

FILED AUGUST 16, 1993 AND RECORDED IN VOLUME 1993, PAGE 24226 SHELBY COUNTY, ALABAMA RECORDS SECURING AN INDEBTEDNESS OF \$14,400.00.

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

All that certain parcel of land situated in CITY OF HOOVER being known as LOT 22, ACCORDING TO THE SURVEY OF RIVERCHASE MEET DIVIDING RIDGE , FIRST ADDITION, AS RECORDED IN MAP BOOK 7 PAGE 3 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; THIS BEING THE SAME PREMISES AS CONVEYED TO ROBERT A. BEATY, JR. AND CAROL M. BEATY BY DEED FROM WILLIAM M. CLEVELAND AND SANDRA M. CLEVELAND and being more fully described in Deed Book 142 Page 576 recorded on 07/28/1987 among the land records of SHELBY County, AL.

Parcel ID Number: 11-7-25-0-003-047.000

The Real Property or its address is commonly known as 741 DIVIDING RIDGE DR, HOOVER, AL 35244.

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

INCREASE MORTGAGE FROM \$14,400.00 TO \$92,000.00. FOR MORTGAGE TAX PURPOSES, THIS LINE WAS INCREASED BY \$77,600.00.


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 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 FEBRUARY 3, 2004.


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  (Seal)
ROBERT A BEATY JR, Individually

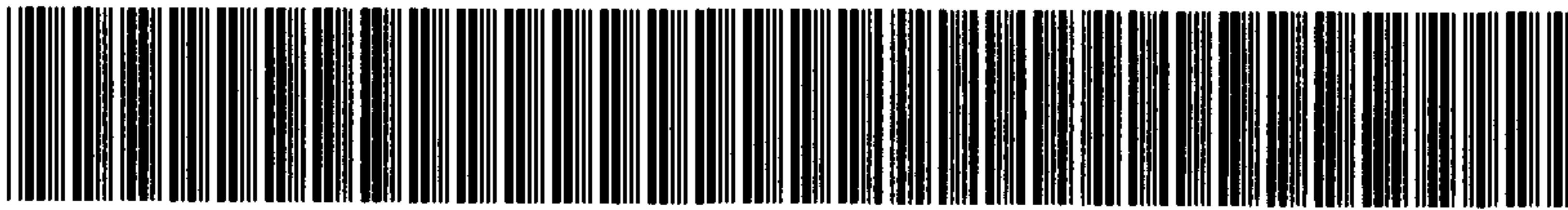
x  (Seal)
CAROL M BEATY, Individually

LENDER:

x  (Seal)
Authorized Signer

This Modification of Mortgage prepared by:

Name: SONDRA DAVIS, Loan Processor
Address: 220 Wildwood Parkway
City, State, ZIP: Homewood, AL 35209



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MODIFICATION OF MORTGAGE
(Continued)

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INDIVIDUAL ACKNOWLEDGMENT

STATE OF Alabama)
COUNTY OF Jefferson) SS
)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that **ROBERT A BEATY JR and CAROL M BEATY, 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 3rd day of February, 20 04.

MY COMMISSION EXPIRES

My commission expires FEBRUARY 8, 2004.

Gennifer Humphries
Notary Public

LENDER ACKNOWLEDGMENT

STATE OF Alabama)
COUNTY OF Jefferson) SS
)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Thomas Brandon a corporation, is signed to the foregoing Modification and who is known to me, acknowledged before me on this day that, being informed of the contents of said Modification of Mortgage, 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 3rd day of February, 20 04.

MY COMMISSION EXPIRES

My commission expires

FEBRUARY 8, 2004.

Gennifer Humphries
Notary Public