

**WHEN RECORDED MAIL TO:**

Compass Bank  
Birmingham Real Estate Banking  
15 South 20th Street  
Birmingham, AL 35233

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

**MODIFICATION OF MORTGAGE**

**THIS MODIFICATION OF MORTGAGE** dated December 18, 2003, is made and executed between Brantley Homes, Inc. (referred to below as "Grantor") and Compass Bank, whose address is 15 South 20th Street, Birmingham, AL 35233 (referred to below as "Lender").

**MORTGAGE.** Lender and Grantor have entered into a Mortgage dated December 1, 8103 (the "Mortgage") which has been recorded in Shelby County, State of Alabama, as follows:

Recorded in the Office of the Judge of Probate of Shelby County, Alabama, Instrument number 20040102000002700 on January 2, 2004.

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

Lot 109, according to the Final Plat of Nottingham Phase 2, as recorded in Map Book 31, Page 62, in the Probate Office of Shelby County, Alabama

The Real Property or its address is commonly known as Lot 109 Nottingham Phase 2, Calera, AL 35040.

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

Correct Date of Mortgage to read December 18, 2003.

**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.

**GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED DECEMBER 18, 2003.**

**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:**

**BRANTLEY HOMES, INC.**

By: Bill Brantley (Seal)  
Bill Brantley, President of Brantley Homes, Inc.

**LENDER:**

x Laris Lindsey (Seal)  
Authorized Signer

**This Modification of Mortgage prepared by:**

**Name:** Jennifer M. Lawley, Assistant Relationship Manager  
**Address:** 15 South 20th Street  
**City, State, ZIP:** Birmingham, AL 35233

MODIFICATION OF MORTGAGE  
(Continued)

20040311000125290 Pg 2/2 15.00  
Shelby Cnty Judge of Probate, AL  
03/11/2004 10:17:00 FILED/CERTIFIED

CORPORATE ACKNOWLEDGMENT

STATE OF Alabama )  
 ) SS  
COUNTY OF Jefferson )

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that **Bill Brantley, President of Brantley Homes, Inc.**, 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 30<sup>th</sup> day of January, 2004.

Michael Michael  
Notary Public

My commission expires 10-16-07

LENDER ACKNOWLEDGMENT

STATE OF Alabama )  
 ) SS  
COUNTY OF Jefferson )

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Paris Lindsey of  
COMPASS BANK 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 30<sup>th</sup> day of January, 2004.

Michael Michael  
Notary Public

My commission expires 10-16-07