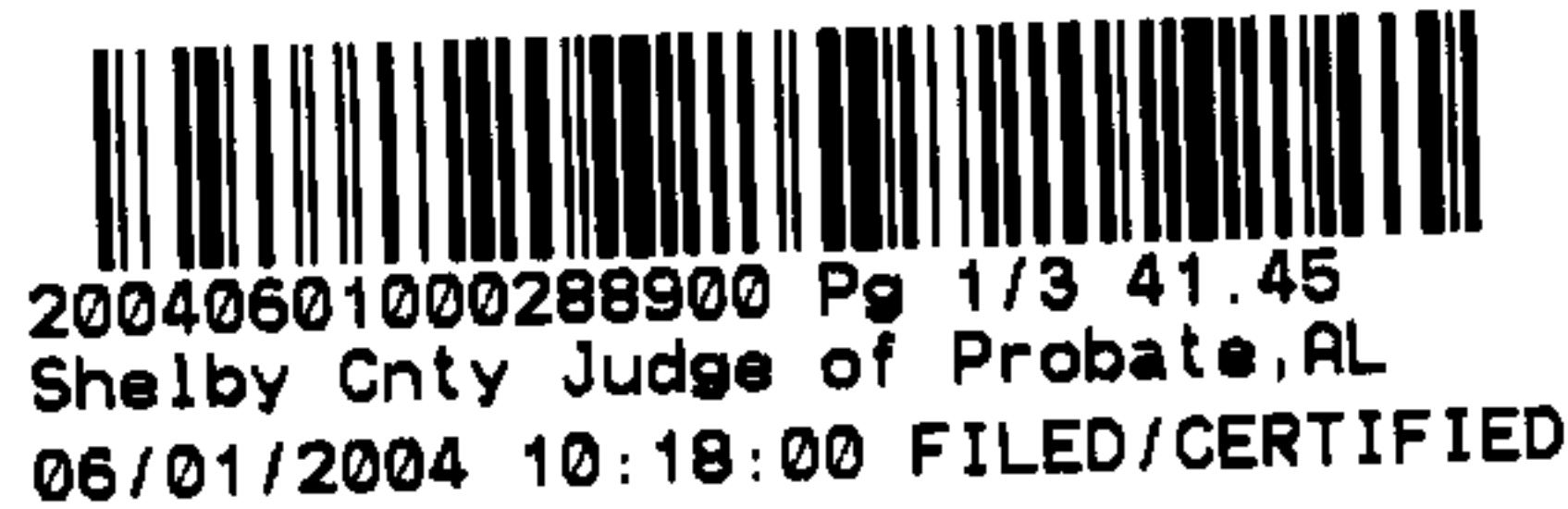


38.45



After Recordation Return to:  
Compass Bank  
P O Box 10566  
Birmingham, Al 35233

MODIFICATION AND EXTENSION  
OF MORTGAGE

<b>BORROWER</b> DONNA M. JENNINGS	<b>MORTGAGOR</b> DONNA M. JENNINGS, AND SPOUSE ROBERT L. JENNINGS, JR.
<b>ADDRESS</b> 2512 MARCAL ROAD BIRMINGHAM, AL 35244	<b>ADDRESS</b> 2512 MARCAL ROAD BIRMINGHAM, AL 35244
<b>TELEPHONE NO.</b>	<b>IDENTIFICATION NO.</b>
<b>ADDRESS OF REAL PROPERTY:</b> 2512 MARCAL ROAD BIRMINGHAM, AL 35244-1926	

THIS MODIFICATION AND EXTENSION OF MORTGAGE, dated the 12th day of May, 2004, is executed by and between the parties identified above and Compass Bank , 15 South 20th Street, Birmingham, AL 35233 ("Lender").

A. On October 01, 2003, Lender made a loan ("Loan") to Borrower evidenced by Borrower's promissory note or agreement ("Note") payable to Lender in the original principal amount of Fifteen Thousand and no/100 Dollars (\$ 15,000.00 ), which Note is secured by a mortgage ("Mortgage") dated October 01, 2003, executed by Mortgagor for the benefit of Lender and encumbering the real property described on Schedule A ("Property"), and recorded on October 09, 2003 at INSTRUMENT #20031009000681520 in the records of the JUDGE OF PROBATE of SHELBY County, Alabama. The Note and Mortgage and any other related documents are hereafter cumulatively referred to as the "Loan Documents".

B. The Note and Mortgage are hereby modified as follows:

- 1. TERMS OF REPAYMENT.  
The maturity date of the Note is extended to October 01, 2038, at which time all outstanding sums due to Lender under the Note shall be paid in full, and the Mortgage is modified accordingly.
- 2. ADDITIONAL MODIFICATIONS.  
The Note and Mortgage are further modified as follows:  
EFFECTIVE 05/12/04, THE MORTGAGE AMOUNT WAS INCREASED FROM \$15,000.00 TO \$31,300.00.

C. Additional Representations, Warranties and Agreements.

Mortgagor represents and warrants that Mortgagor owns the property free and clear of any liens or encumbrances other than the liens described on Schedule B below. Except as expressly modified herein, all terms and conditions of the Loan Documents shall remain in full force and effect. The parties hereby adopt, ratify and confirm these terms and conditions as modified. Borrower and Mortgagor agree to execute any additional documents which may be required by Lender to carry out the intention of this Agreement. As of the date of this Agreement, there are no claims, defenses, setoffs or counterclaims of any nature which may be asserted against Lender by any of the undersigned.

SCHEDULE A

The following described real property located in the County of SHELBY, State of Alabama:  
SEE ATTACHED EXHIBIT "A" HERETO AND FORMING A PART HEREOF.

SCHEDULE B

FIRST LIEN: COUNTRYWIDE MTG CO. I/A/O \$155,000.00 DATED 06/23/03

I, Kathryn Skipper, notary public for Jefferson County, Alabama state that before me appeared Donna M. Jennings and Robert L. Jennings, Jr.

Kathryn Skipper

MY COMMISSION EXPIRES FEBRUARY 28, 2008

MORTGAGOR: DONNA M. JENNINGS

DONNA M. JENNINGS

MORTGAGOR:

MORTGAGOR: ROBERT L. JENNINGS, JR.

ROBERT L. JENNINGS JR.

MORTGAGOR:

MORTGAGOR:

MORTGAGOR

MORTGAGOR:

MORTGAGOR:

LENDER: Compass Bank

By: Kiley Elmore  
KILEY ELMORE  
RELATIONSHIP MANAGER

THIS DOCUMENT WAS PREPARED BY: Compass Bank

AFTER RECORDING, RETURN THIS DOCUMENT TO LENDER.

**EXHIBIT "A"**

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 19 SOUTH, RANGE 2 WEST; THENCE RUN NORTH ALONG THE WEST LINE OF SAME A DISTANCE OF 732.14 FEET; THENCE TURN RIGHT 55 DEGREES 52 MINUTES AND RUN NORTHEASTERLY A DISTANCE OF 684.38 FEET; THENCE TURN RIGHT 113 DEGREES 06 MINUTES AND RUN SOUTHEASTERLY A DISTANCE OF 353.86 FEET TO THE POINT OF BEGINNING OF THE PROPERTY DESCRIBED HEREIN; THENCE CONTINUE ALONG THE LAST DESCRIBED COURSE A MEASURED DISTANCE OF 260.65 FEET (DEED 260.53) TO THE NORTHERLY RIGHT OF WAY LINE OF MARCAL ROAD (SAID RIGHT OF WAY BEING ON A CURVE TO THE RIGHT HAVING A RADIUS OF 158.53 FEET AND AN INTERIOR ANGLE OF 11 DEGREES 04 MINUTES) THENCE TURN RIGHT 82 DEGREES 22 MINUTES 43 SECONDS TO TANGENT OF SAID CURVE AND RUN SOUTHWESTERLY ALONG SAID RIGHT OF WAY AN ARC DISTANCE OF 30.62 FEET TO THE POINT OF TANGENT; THENCE CONTINUE SOUTHWESTERLY ALONG SAID RIGHT OF WAY AND ALONG SAID TANGENT A DISTANCE OF 69.41 FEET; THENCE TURN RIGHT 86 DEGREES 33 MINUTES 17 SECONDS AND RUN NORTHWESTERLY A DISTANCE OF 200.00 FEET; THENCE TURN RIGHT 60 DEGREES 01 MINUTES 12 SECONDS AND RUN NORTHEASTERLY A DISTANCE OF 115.26 FEET TO THE POINT OF BEGINNING. SITUATED IN SHELBY COUNTY, ALABAMA.

EXCEPT PART DESCRIBED IN DEED TO CALVIN C. MARTIN AND MARY JO MARTIN IN BOOK 338, PAGE 967.