

This instrument was prepared by

PINNACLE BANK (name)

2013 CANYON ROAD, BIRMINGHAM, AL 35216 (address)

State of Alabama

Space Above This Line For Recording Data

## MODIFICATION OF MORTGAGE

**DATE AND PARTIES.** The date of this Real Estate Modification (Modification) is 08-09-2004.  
The parties and their addresses are:

**MORTGAGOR:** BRAXTON RUSK AND MELINDA KIRKPATRICK RUSK, HUSBAND AND WIFE  
934 WINDSOR COURT  
ALABASTER, AL 35007

**LENDER:** PINNACLE BANK  
VESTAVIA OFFICE  
ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF ALABAMA  
2013 CANYON ROAD VESTAVIA, AL 35216

**BACKGROUND.** Mortgagor and Lender entered into a Security Instrument dated 09-03-2003 and recorded on 09-11-2003. The Security Instrument was recorded in the records of SHELBY County, Alabama at IN INSTRUMENT #20030911000611010.  
The property is located in SHELBY County at 13177 HIGHWAY 17, MONTEVALLO, AL 35115.

Described as:

WEST 1/2 OF SOUTH 1/2 OF NORTH 1/2 OF SOUTHEAST 1/4 OF SOUTHWEST 1/4 LYING EAST OF COUNTY ROAD #17 LOCATED IN SECTION 33, TOWNSHIP 21 SOUTH, RANGE 3 WEST, SHELBY COUNTY, ALABAMA.

**MODIFICATION.** For value received, Mortgagor and Lender agree to modify the original Security Instrument. Mortgagor and Lender agree that this Modification continues the effectiveness of the original Security Instrument. The Security Instrument was given to secure the original debts and obligations (whether identified as Secured Debts, Sums Secured, or otherwise) that now have been modified. Together with this Modification, the Security Instrument now secures the following debts and all extensions, renewals, refinancings, modifications and replacements. *(Include items such as borrower's name, note or contract amounts, interest rates (whether variable), maturity dates, etc.)*

MODIFY ORIGINAL NOTE AND MORTGAGE DATED 09/03/03, IN THE NAME OF BRAXTON AND MELINDA RUSK, INCREASE AMOUNT FROM 184,000.00 TO 204,000.00 AND EXTEND MATURITY DATE TO 03/02/05

20040813000455240 Pg 2/2 320.00  
Shelby Cnty Judge of Probate, AL  
08/13/2004 10:59:00 FILED/CERTIFIED

☒ **MAXIMUM OBLIGATION LIMIT.** The total principal amount secured by the Security Instrument at any one time will not exceed \$204,000.00 ☒ which is a \$20,000.00 ☒ increase ☐ decrease in the total principal amount secured. This limitation of amount does not include interest and other fees and charges validly made pursuant to the Security Instrument. Also, this limitation does not apply to advances made under the terms of the Security Instrument to protect Lender's security and to perform any of the covenants contained in the Security Instrument.

**WARRANTY OF TITLE.** Mortgagor warrants that Mortgagor is or will be lawfully seized of the estate conveyed by the Security Instrument and has the right to grant, bargain, convey, sell, and mortgage the property. Mortgagor also warrants that such same property is unencumbered, except for encumbrances of record.

**CONTINUATION OF TERMS.** Except as specifically amended in this Modification, all terms of the Security Instrument remain in effect.

**SIGNATURES:** By signing below, Mortgagor agrees to the terms and covenants contained in this Modification. Mortgagor also acknowledges receipt of a copy of the Modification.

BRAXTON RUSK 8/9/04 (Seal)  
(Signature) BRAXTON RUSK (Date)

Melinda Kirkpatrick Rusk 8/9/04 (Seal)  
(Signature) MELINDA KIRKPATRICK RUSK (Date)

\_\_\_\_ (Seal)  
(Signature) (Date)

\_\_\_\_ (Seal)  
(Signature) (Date)

\_\_\_\_ (Seal)  
(Signature) (Date)

\_\_\_\_ (Seal)  
(Signature) (Date)

\_\_\_\_\_  
(Witness as to all signatures)

\_\_\_\_\_  
(Witness as to all signatures)

**ACKNOWLEDGMENT:**

STATE OF ALABAMA, COUNTY OF JEFFERSON } ss.

(Individual) I, a notary public, hereby certify that BRAXTON RUSK; MELINDA KIRKPATRICK RUSK, HUSBAND AND WIFE  
\_\_\_\_ whose name(s) is/are signed to the foregoing  
conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of  
the contents of the conveyance, he/she/they executed the same voluntarily on the day the same bears  
date. Given under my hand this 9TH day of AUGUST, 2004.  
My commission expires: 02-03-2005

(Seal)

Pamela Williamson  
(Notary Public)

PAMELA WILLIAMSON