

RECORDATION REQUESTED BY:

SouthTrust Bank
Private Banking 376
100 Office Park Dr.
Birmingham, AL 35223

20041109000615810 Pg 1/2 51.50
Shelby Cnty Judge of Probate, AL
11/09/2004 09:34:00 FILED/CERTIFIED

WHEN RECORDED MAIL TO:

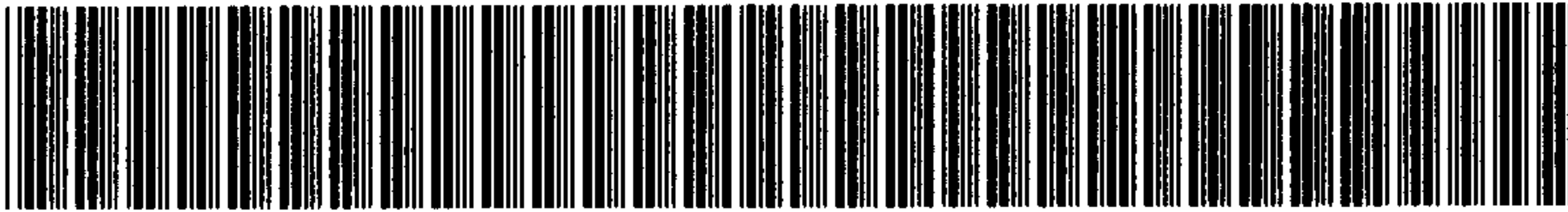
SouthTrust Bank, Loan Operations
Mortgage Recording - File Management
P O Box 2233
Birmingham, AL 35201

SEND TAX NOTICES TO:

WILLIAM E SAIN SR
LINDA C SAIN
2307 SPRING IRIS DRIVE
BIRMINGHAM, AL 35244

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE



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THIS MODIFICATION OF MORTGAGE dated October 19, 2004, is made and executed between WILLIAM E SAIN SR and LINDA C SAIN; HUSBAND AND WIFE (referred to below as "Grantor") and SouthTrust Bank, whose address is 100 Office Park Dr., Birmingham, AL 35223 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated May 17, 2002 (the "Mortgage") which has been recorded in SHELBY County, State of Alabama, as follows:

RECORDED: 06-04-2002; LAND RECORDS OF SHELBY COUNTY, ALABAMA; BOOK: 20020604000261910.

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 BIRMINGHAM BEING KNOWN AS LOT 2429, ACCORDING TO THE SURVEY OF RIVERCHASE COUNTRY CLUB, 24TH ADDITION AS RECORDED IN MAP BOOK 10, PAGE 64, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA AND BEING MORE FULLY DESCRIBED IN DEED BOOK PAGE INSTRUMENT R304977 RECORDED ON 08-13-1990 AMONG THE LAND RECORDS OF SHELBY COUNTY, AL

The Real Property or its address is commonly known as 2307 SPRING IRIS DRIVE, BIRMINGHAM, AL 35244.

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

INCREASE MORTGAGE FROM \$ 125,000.00 TO \$ 150,000.00 . FOR MORTGAGE TAX PURPOSES, THIS LINE WAS INCREASED BY \$ 25,000.00 .

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 endorers 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 OCTOBER 19, 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)
WILLIAM E SAIN SR

X  (Seal)
LINDA C SAIN

LENDER:

SOUTHTRUST BANK

X  (Seal)
Authorized Signer

This Modification of Mortgage prepared by:

Name: TARA HUMES, 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

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) SS

COUNTY OF Jefferson

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20041109000615810 Pg 2/2 51.50
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I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that **WILLIAM E SAIN SR and LINDA C SAIN, 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 19th day of October, 2004.

Mahesh D. Mehta
Notary Public

My commission expires 2/16/08

LENDER ACKNOWLEDGMENT

STATE OF Alabama

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) SS

COUNTY OF Jefferson

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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 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. October 19th 2004

Given under my hand and official seal this 19th day of November, 2004.

Cindy K Mitchell
Notary Public

MY COMMISSION EXPIRES
MARCH 16, 2007.

My commission expires _____