

RECORDATION REQUESTED BY:

SouthTrust Bank
Alabaster 336
831 North First Street
Alabaster, AL 35007

20050113000020530 Pg 1/3 18.00
Shelby Cnty Judge of Probate, AL
01/13/2005 10:14:00 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:

MICHELINE DAVIS
117 RED OAK LANE
ALABASTER, AL 35007

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE



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THIS MODIFICATION OF MORTGAGE dated November 30, 2004, is made and executed between MICHELINE DAVIS; UNMARRIED (referred to below as "Grantor") and SouthTrust Bank, whose address is 831 North First Street, Alabaster, AL 35007 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated August 28, 2001 (the "Mortgage") which has been recorded in SHELBY County, State of Alabama, as follows:

RECORDED 09/25/2001 INST # 2001-41354.

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

See SEE EXHIBIT A, which is attached to this Modification and made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as 117 RED OAK LANE , ALABASTER, AL 35007.

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

THIS MODIFICATION IS FOR THE SOLE PURPOSE TO MODIFY THE LEGAL DESCRIPTION. THE ORIGINAL LEGAL SHOULD BE STRIKEN IN IT'S ENTIRETY AND REPLACED WITH THE LEGAL ATTACHED HERETO.


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.

ATTACHED LEGAL DESCRIPTION. An exhibit, titled "LEGAL DESCRIPTION," is attached to this Modification and by this reference is made a part of this Modification just as if all the provisions, terms and conditions of the Exhibit had been fully set forth in 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 NOVEMBER 30, 2004.

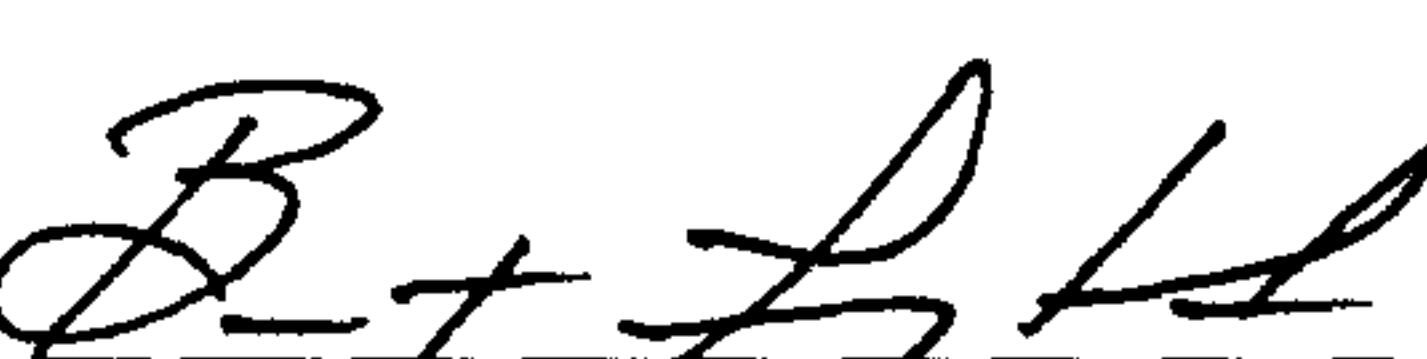
THIS MODIFICATION IS GIVEN UNDER SEAL AND IT IS INTENDED THAT THIS MODIFICATION IS AND SHALL CONSTITUTE AND HAVE THE EFFECT OF A SEALED INSTRUMENT ACCORDING TO LAW.

GRANTOR:

x  (Seal)
MICHELINE DAVIS

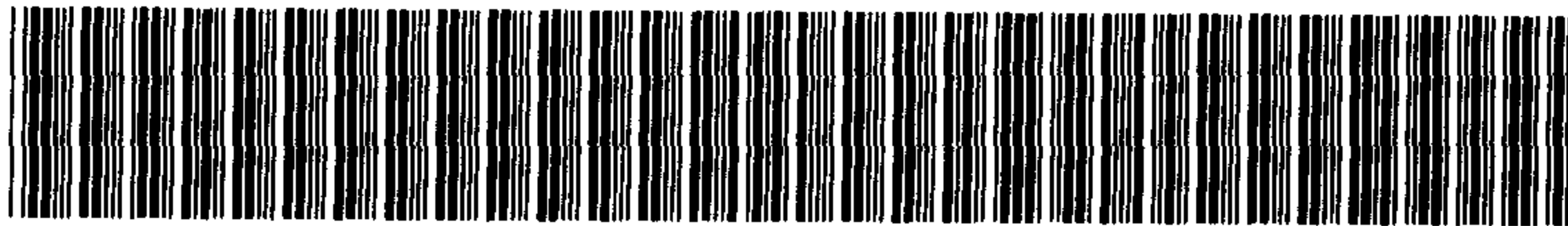
LENDER:

SOUTHTRUST BANK

x  (Seal)
Authorized Signer

This Modification of Mortgage prepared by:

Name: JANIE BRIGGS, 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)
) SS
COUNTY OF Shelby)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that **MICHELINE DAVIS, UNMARRIED**, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said Modification, he or she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30 day of November, 2004.

Gonda Sperry Luke
Notary Public

MY COMMISSION EXPIRES
JUNE 8, 2008

My commission expires _____

LENDER ACKNOWLEDGMENT

STATE OF _____)
) SS
COUNTY OF _____)

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.

Given under my hand and official seal this _____ day of _____, 20____.

Notary Public

My commission expires _____

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Alabaster 336
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Alabaster, AL 35007

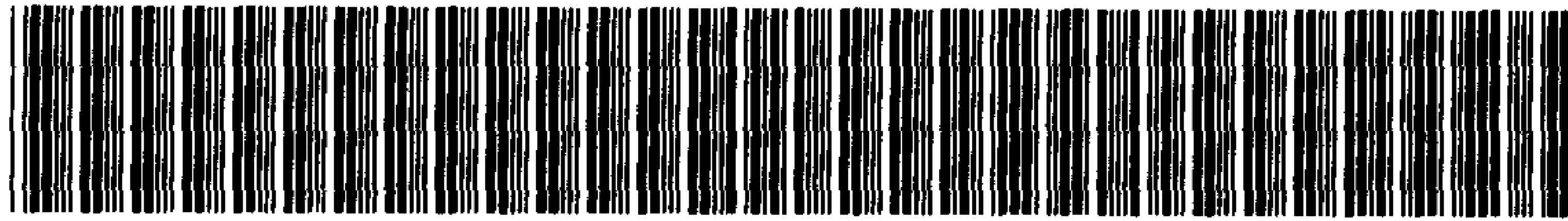
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LEGAL DESCRIPTION

This LEGAL DESCRIPTION is attached to and by this reference is made a part of the Modification of Mortgage, dated November 30, 2004, and executed in connection with a loan or other financial accommodations between SOUTHTRUST BANK and MICHELINE DAVIS.

LOT 33, ACCORDING TO THE SURVEY OF OAKWOOD VILLAGE, PHASE TWO, AS RECORDED IN MAP BOOK 20, PAGE 81, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
MINERAL AND MINING RIGHTS EXCEPTED

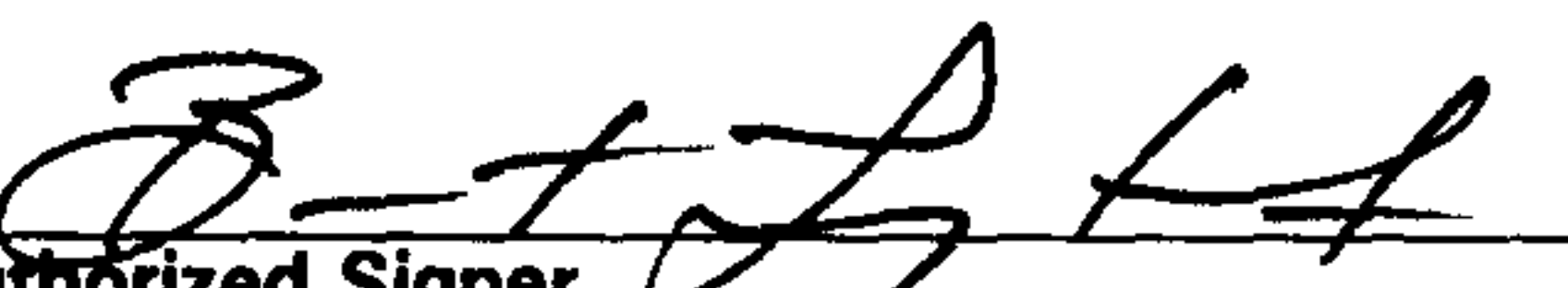
THIS LEGAL DESCRIPTION IS EXECUTED ON NOVEMBER 30, 2004.

GRANTOR:

x  (Seal)
MICHELINE DAVIS

LENDER:

SOUTHTRUST BANK

x  (Seal)
Authorized Signer