

Recording Requested by  
**Countrywide Home Loans, Inc.**

AND WHEN RECORDED MAIL TO:

Countrywide Home Loans, Inc.  
1800 Tapo Canyon Road SV2-116  
Simi Valley, CA 93063  
Attn: **GRACIA FARNELL**  
CLD Deficiency Department  
DOC. ID#: **000408626932005N**

Space Above for Recorder's Use

### **LOAN MODIFICATION AGREEMENT TO THE MORTGAGE**

This Loan Modification Agreement (the "Agreement"), made this **23th** day of **November**, **2004** between **BASIL A SMITH, DIANE D SMITH**, (the "Borrowers") and **Countrywide Home Loans, Inc.**, ("Lender"), amends and supplements that certain **MORTGAGE** between, **COUNTRYWIDE BANK, A DIVISION OF TREASURY BANK, N.A.**, and **BASIL A SMITH AND E D SMITH, AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP**, dated **October 21, 2003** and recorded on **December 02, 2003** as **Instrument Number 20031202000780440** in the Official Records of the **SHELBY** County, State of **ALABAMA** (the "Security Instrument"), and covering the real property specifically described as follows:

This property is more commonly known as:

**426 BENT PINE DRIVE  
HELENA, AL 35080**

In consideration of the mutual promises and agreements exchanged, the parties hereto agree to modify the Security Instrument as follows:

- **TO CORRECT THE MORTGAGE DATE FROM "10/17/03 TO "10/21/03 WHICH WAS INCORRECT AT THE TIME OF RECORDING.**

The Borrowers shall comply with all other covenants, agreements and requirements of the Security Instrument. Nothing in this Agreement shall be understood or construed to be a satisfaction or release in whole or in part of the Security Instrument.

Except as otherwise specifically provided in this Agreement, the Security Instrument shall remain unchanged, and the Borrowers and Countrywide Home Loans, Inc. shall be bound by, and comply with all of the terms and provisions thereof, as amended by this Agreement, and the Security Instrument shall remain in full force and effect and shall continue to be a second lien on the above-described property. All capitalized terms not defined herein shall have the same meanings as set forth in the Security Instrument.

**Countrywide Home Loans, Inc.**

A handwritten signature in cursive script, appearing to read "Tracy Schreiner", written over a horizontal line.

**By: Tracy Schreiner  
Its: Assistant Vice President**

A handwritten signature in cursive script, appearing to read "Basil A. Smith", written over a horizontal line.

**BASIL A SMITH**

A handwritten signature in cursive script, appearing to read "Diane D. Smith", written over a horizontal line.

**DIANE D SMITH**

**(ALL SIGNATURES MUST BE ACKNOWLEDGED)**

STATE OF Al )  
COUNTY OF Jefferson ) SS.  
 )

On this 27th Day of December 2004, BEFORE ME,

Brandi Lynn Burke  
(Notary Public)

personally appeared, **BASIL A SMITH, DIANE D SMITH**, personally known to me OR proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS MY HAND AND OFFICIAL SEAL

Brandi Lynn Burke  
Notary Public

MY COMMISSION EXPIRES NOVEMBER 17, 2008

Commission Expires: \_\_\_\_\_

(SEAL)

Alfonso  
STATE OF CALIFORNIA )  
COUNTY OF VENTURA ) SS.  
 )

On this 21st day of December 2004, before me, **Jean L Viraldo**, Notary Public, personally appeared **Tracy Schreiner**, Assistant Vice President for Countrywide Home Loans, Inc., personally known to me to be the person whose name is signed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or entity upon behalf of which the person acted, executed the instrument.

WITNESS MY HAND AND OFFICIAL SEAL.

Jean L Viraldo  
Notary Public

Commission Expires: 8-12-06

August 26, 2005

(SEAL)

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

)  
) SS.  
)

On this \_\_\_\_\_ Day of \_\_\_\_\_, 2005, BEFORE ME,

\_\_\_\_\_  
(Notary Public)

personally appeared, **BASIL A SMITH, DIANE D SMITH**, personally known to me OR proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS MY HAND AND OFFICIAL SEAL

\_\_\_\_\_  
Notary Public

Commission Expires: \_\_\_\_\_

(SEAL)

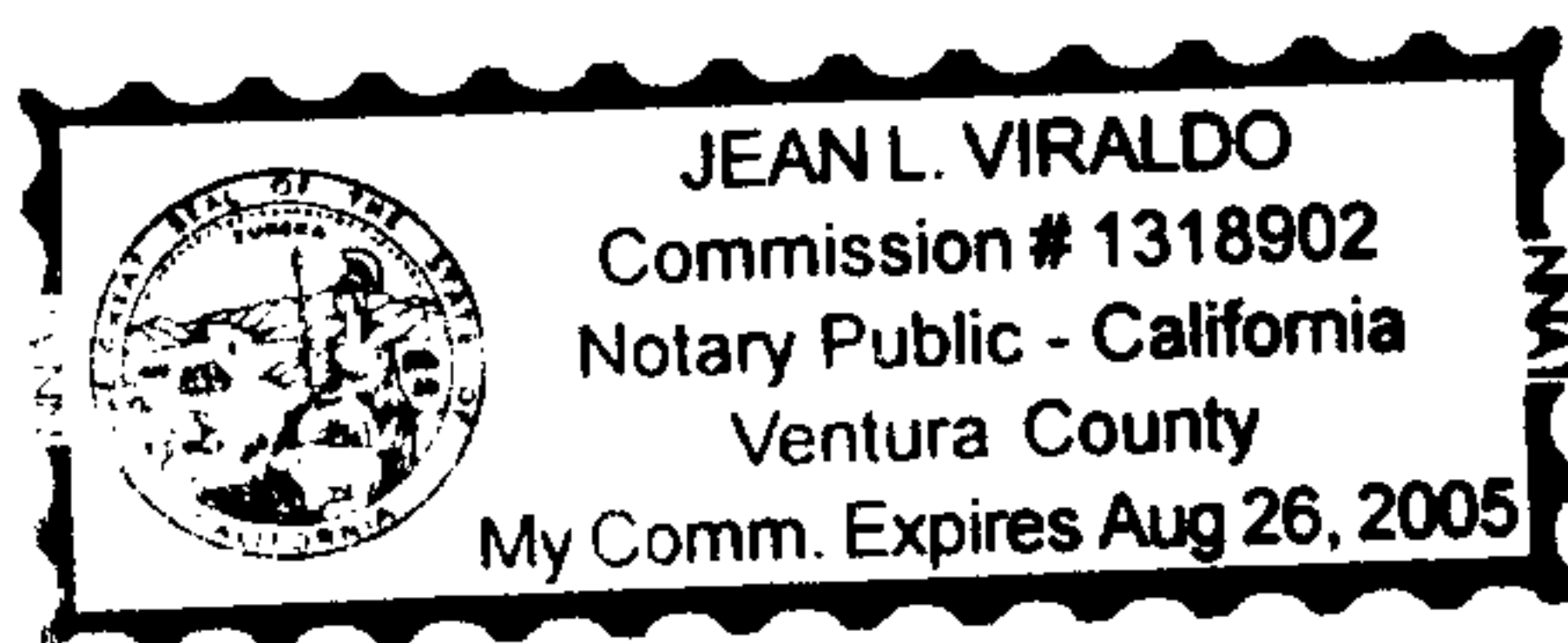
STATE OF CALIFORNIA

)  
) SS.  
)

COUNTY OF VENTURA

On this 19 day of Jan 2005, before me, **Jean L Viraldo**, Notary Public, personally appeared **Tracy Schreiner**, Assistant Vice President for Countrywide Home Loans, Inc., personally known to me to be the person whose name is signed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or entity upon behalf of which the person acted, executed the instrument.

WITNESS MY HAND AND OFFICIAL SEAL.



*Jean L Viraldo*  
\_\_\_\_\_  
Notary Public

Commission Expires: \_\_\_\_\_

(SEAL)

August 26, 2005