

Wachovia Bank, National Association Inverness 346 4651 Highway 280 East Birmingham, AL 35243

20050309000107440 1/2 \$89.00 Shelby Cnty Judge of Probate, AL 03/09/2005 11:25:44AM FILED/CERT

WHEN RECORDED MAIL TO:

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

SEND TAX NOTICES TO: MICHAEL DENNIS JOHNSON VICKI L JOHNSON 2912 SUMMER WOOD CIR BIRMINGHAM, AL 35242

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

## MODIFICATION OF MORTGAGE



\*0740000000000950058371200011 7\*

THIS MODIFICATION OF MORTGAGE dated February 7, 2005, is made and executed between MICHAEL DENNIS JOHNSON and VICKI L JOHNSON; HUSBAND AND WIFE (referred to below as "Grantor") and Wachovia Bank, National Association, whose address is 4651 Highway 280 East, Birmingham, AL 35243 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated November 23, 2001 (the "Mortgage") which has been recorded in SHELBY County, State of Alabama, as follows:

RECORDED 01/16/2002, INST# 2002-02859.

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 THE CITY OF BIRMINHGHAM BEING KNOWN AS LOT 15, SUMMERWOOD SUBDIVISION, MAP BOOK 20, PAGE 68,BEING THE SAME PROPERTY CONVEYED TO MICHAEL DENNIS JOHNSON AND VICKI L JOHNSON BY DEED FROM NORTHSTAR HOMES AND BEING MORE FULLY DESCRIBED IN DEED BOOK 1996, PAGE 16261 RECORDED ON 05/20/1996 AMONG THE LAND RECORDS OF SHELBY COUNTY, ALABAMA

The Real Property or its address is commonly known as 2912 SUMMER WOOD CIR, BIRMINGHAM, AL 35242.

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

(MICHAEL DENNIS JOHNSON and VICKI L JOHNSON) and SouthTrust Bank entered into that certain Loan Agreement, Promissory Note and (Deed of Trust, Mortgage, Security Deed) dated \_\_11/23/2001 and recorded in the official records in S County, State; Whereas Wachovia Bank, National Association is the successor in interest to SouthTrust Bank; Whereas (customer name) and Wachovia Bank, National Association desire to enter into an agreement modifying that Loan Agreement, Promissory Note and (Deed of Trust, Mortgage, Security Deed) for the sole purpose of:

INCREASE MORTGAGE FROM \$ 50,000.00 TO \$ 100,000.00. FOR MORTGAGE TAX PURPOSES, THIS LINE WAS INCREASED BY \$ 50,000.00

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 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.

GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED FEBRUARY 7, 2005.

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** 

DENNIS JOHNSON

LENDER:

(Seal)

WACHOVIA BANK, NATIONAL ASSOCIATION

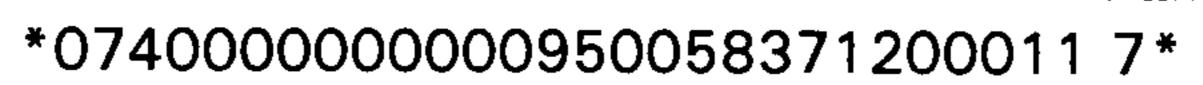
Authorized Signer

(Seal)

This Modification of Mortgage prepared by:

Name: SONJA BLOCKER, 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 MILLION ,
COUNTY OF
I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that MICHAEL DENNIS JOHNSON and VICKI L JOHNSON, 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
My commission expires WVWWW 0, 2004
LENDER ACKNOWLEDGMENT
STATE OF MILLION ,
COUNTY OF SS
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
My commission expires NOVEMBER 8, 2004