



20050617000301440 1/2 \$79.50  
Shelby Cnty Judge of Probate, AL  
06/17/2005 01:03:32PM FILED/CERT

**RECORDATION REQUESTED BY:**

Wachovia Bank, National Association  
Medical Banking 354  
100 Office Park Dr  
Birmingham, AL 35223

**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:**

WILLIAM A LEMONS, JR., A/K/A WILLIAM A LEMONS  
KELLY B LEMONS  
148 SOUTHLEDGE  
BIRMINGHAM, AL 35242

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

**MODIFICATION OF MORTGAGE**



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**THIS MODIFICATION OF MORTGAGE** dated January 12, 2005, is made and executed between **WILLIAM A LEMONS, JR., A/K/A WILLIAM A LEMONS** and **KELLY B LEMONS; HUSBAND AND WIFE** (referred to below as "Grantor") and Wachovia Bank, National Association, 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 October 22, 2004 (the "Mortgage") which has been recorded in SHELBY County, State of Alabama, as follows:

RECORDING 11/15/2004, BOOK 20041115000624760, PAGE 1/7.

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

Lot 1835, according to the Map of Highland Lakes, 18th Sector, an Eddleman Community, as recorded in Map Book 26, Page 130, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Together with nonexclusive easement to use the private roadways, Common Area all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument # 1994-07111 and amended in Inst. No.1996-17543 in the Probate Office of Shelby County, Alabama, and the Declaration of Covenants, Conditions and Restrictions for Highland Lakes, a Residential Subdivision, 18th Sector, recorded as instrument # 2000-15021 in the Probate Office of Shelby County, Alabama.

The Real Property or its address is commonly known as 148 SOUTHLEDGE, BIRMINGHAM, AL 35242.

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

INCREASE MORTGAGE FROM \$ 82,000.00 TO \$ 125,000.00 . FOR MORTGAGE TAX PURPOSES, THIS LINE WAS INCREASED BY \$ 43,000.00 .

**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 endorser 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 JANUARY 12, 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:**

X  (Seal)  
WILLIAM A LEMONS, JR., A/K/A WILLIAM A LEMONS

X  (Seal)  
KELLY B LEMONS

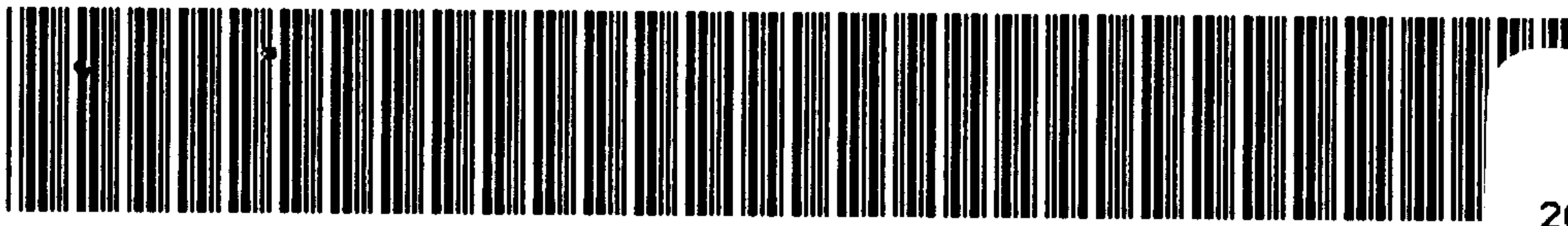
**LENDER:**

WACHOVIA BANK, NATIONAL ASSOCIATION

X  (Seal)  
Authorized Signer

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)**

**INDIVIDUAL ACKNOWLEDGMENT**

STATE OF Alabama )  
 ) SS  
COUNTY OF Jefferson )

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that **WILLIAM A LEMONS, JR., A/K/A WILLIAM A LEMONS and KELLY B LEMONS, 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 12 day of Jan, 2005.

Kathy J. Goode  
Notary Public

My commission expires 3/15/06

**LENDER ACKNOWLEDGMENT**

STATE OF Alabama )  
 ) SS  
COUNTY OF Jefferson )

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Kathy Goode of Wachovia Bank 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 12th day of January, 2005.

Shelby J. Howell  
Notary Public

My commission expires 9-16-07