20051013000533750 1/2 $29.00
Shelby Cnty Judge of Probate, AL
10/13/2005 11:56:36AM FILED/CERT

WHEN RECORDED MAIL TO:
REGIONS BANK
SHELBY COUNTY REAL ESTATE
2964 PELHAM PARKWAY
PELHAM, AL 35124

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

REGIONS BANK

MODIFICATION OF MORTGAGE

DOC4800000290548359000100000

THIS MODIFICATION OF MORTGAGE dated October 4, 2005, is made and executed between HP BUILDERS LLC, whose address is 240 GREENFIELD LANE, ALABASTER, AL 35007-3701; A LIMITED LIABILITY COMPANY (referred to below as "Grantor") and REGIONS BANK, whose address is 2964 PELHAM PARKWAY, PELHAM, AL 35124 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated June 30, 2005 (the "Mortgage") which has been recorded in SHELBY County, State of Alabama, as follows:

FILED 07/06/2005, INSTRUMENT #20050706000335730.

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

Lot 231, according to the Final Plat of Forest Ridge, Phase 2, as recorded in Map Book 32, Page 62, in the Probate Office of Shelby County, Alabama. 247 Timber Ridge Lane Alabaster AL 35007 Shelby

The Real Property or its address is commonly known as 247 TIMBER RIDGE LANE, ALABASTER, AL 35007.

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

INCREASING THE LINE FROM $234,000.00 TO $244,000.00.

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 OCTOBER 4, 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:

HP BUILDERS LLC

By: _____ **(Seal)**
HEATH A PENDER, Member of HP BUILDERS LLC

By: _____ **(Seal)**
LISA A PENDER, Member of HP BUILDERS LLC

LENDER:

REGIONS BANK

X _____ **(Seal)**
Authorized Signer

This Modification of Mortgage prepared by:

Name: JAMIE BRUNER
Address: 2964 PELHAM PARKWAY
City, State, ZIP: PELHAM, AL 35124

LIMITED LIABILITY COMPANY 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 **HEATH A PENDER, Member; LISA A PENDER, Member of HP BUILDERS LLC,** a limited liability company, are signed to the foregoing Modification and who are known to me, acknowledged before me on this day that, being informed of the contents of said Modification, they, as such members and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and official seal this 4th **day of** October, 20 05.

Jamie L. Bruner
Notary Public

My commission expires JAMIE L. BRUNER NOTARY PUBLIC STATE AT LARGE - ALABAMA Commission Expires 4-1-2009

LENDER 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 Bryan Shanahan _____ 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 4th **day of** October, 20 05.

Jamie L. Bruner
Notary Public

My commission expires JAMIE L. BRUNER NOTARY PUBLIC STATE AT LARGE - ALABAMA Commission Expires 4-1-2009

LASER PRO Lending, Ver. 5.25.20.303 Copr. Harland Financial Solutions, Inc. 1997, 2005. All Rights Reserved. - AL R:\CFI\LPL\G201.FC TR-135019 PR-BR01

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