

This instrument was prepared by

MERCHANTS AND FARMERS BANK (name)

P.O. BOX 520 KOSCIUSKO, MS 39090 (address)



20081120000445080 1/3 \$443.90
Shelby Cnty Judge of Probate, AL
11/20/2008 01:36:44PM FILED/CERT

____ State of Alabama _____

____ Space Above This Line For Recording Data _____

MODIFICATION OF MORTGAGE

DATE AND PARTIES. The date of this Real Estate Modification (Modification) is 11-04-2008.
The parties and their addresses are:

MORTGAGOR: ROY GREGORY SIMS and JAN E. SIMS, HUSBAND AND WIFE
270 ARABIAN ROAD
COLUMBIANA, AL 35051

LENDER: MERCHANTS & FARMERS BANK
Organized and existing under the laws of the state of Mississippi
POST OFFICE BOX 520
KOSCIUSKO, MS 39090

BACKGROUND. Mortgagor and Lender entered into a Security Instrument dated 04-30-2007 and recorded on 05-04-2007. The Security Instrument was recorded in the records of SHELBY County, Alabama at INSTRUMENT NUMBER 20070504000209470. The property is located in SHELBY County at 270 ARABIAN ROAD, COLUMBIANA, AL 35051.

Described as:
SEE ATTACHED EXHIBIT "A"

MODIFICATION. For value received, Mortgagor and Lender agree to modify the original Security Instrument. Mortgagor and Lender agree that this Modification continues the effectiveness of the original Security Instrument. The Security Instrument was given to secure the original debts and obligations (whether identified as Secured Debts, Sums Secured, or otherwise) that now have been modified. Together with this Modification, the Security Instrument now secures the following debts and all extensions, renewals, refinancings, modifications and replacements. *(Include items such as borrower's name, note or contract amounts, interest rates (whether variable), maturity dates, etc.)*

ROY GREGORY SIMS

NOTE #1869540

IN THE AMOUNT OF \$284,576.00

INTEREST ACCRUES AT A VARIABLE RATE

MATURITY DATE 08/20/2009

☐ **MAXIMUM OBLIGATION LIMIT.** The total principal amount secured by the Security Instrument at any one time will not exceed \$_____ ☐ which is a \$_____ ☐ increase ☐ decrease in the total principal amount secured. This limitation of amount does not include interest and other fees and charges validly made pursuant to the Security Instrument. Also, this limitation does not apply to advances made under the terms of the Security Instrument to protect Lender's security and to perform any of the covenants contained in the Security Instrument.

WARRANTY OF TITLE. Mortgagor warrants that Mortgagor is or will be lawfully seized of the estate conveyed by the Security Instrument and has the right to grant, bargain, convey, sell, and mortgage the property. Mortgagor also warrants that such same property is unencumbered, except for encumbrances of record.

CONTINUATION OF TERMS. Except as specifically amended in this Modification, all terms of the Security Instrument remain in effect.

SIGNATURES: By signing below, Mortgagor agrees to the terms and covenants contained in this Modification. Mortgagor also acknowledges receipt of a copy of the Modification.

 11-10-08 (Seal)
(Signature) ROY GREGORY SIMS (Date)

 11-10-08 (Seal)
(Signature) JAN E. SIMS (Date)

(Signature) (Date) (Seal)

(Signature) (Date) (Seal)

(Signature) (Date) (Seal)

(Signature) (Date) (Seal)

(Witness as to all signatures)

(Witness as to all signatures)

ACKNOWLEDGMENT:

STATE OF Alabama, COUNTY OF Shelby } ss.

(Individual) I, a notary public, hereby certify that ROY GREGORY SIMS; JAN E. SIMS, HUSBAND AND WIFE

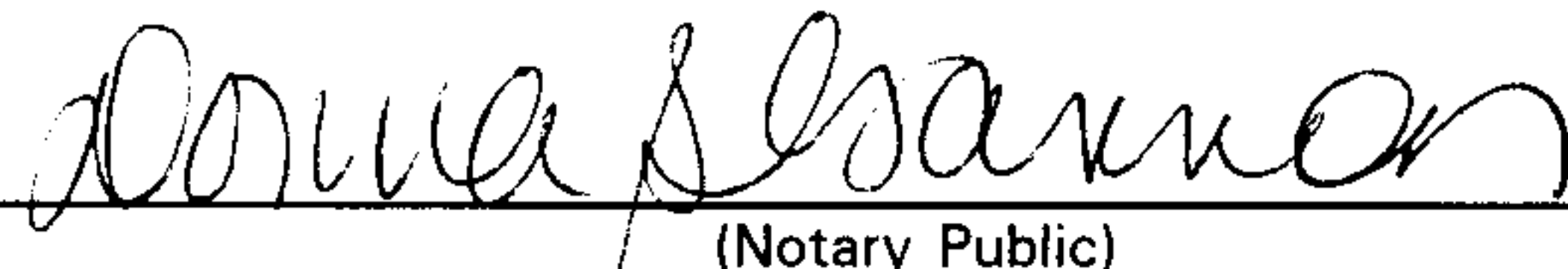
whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he/she/they executed the same voluntarily on the day the same bears date. Given under my hand this 10th day of November, 2008.

My commission expires: 6-20-2011

(Seal)



20081120000445080 2/3 \$443.90
Shelby Cnty Judge of Probate, AL
11/20/2008 01:36:44PM FILED/CERT


(Notary Public)

My Commission Expires On
June 20, 2011


20081120000445080 3/3 \$443.90
Shelby Cnty Judge of Probate, AL
11/20/2008 01:36:44PM FILED/CERT

EXHIBIT "A"

ROY GREGORY SIMS and JAN E. SIMS

11/04/2008

Commence at the Southeast corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 14, Township 21 South, Range 2 West. Thence run North along the East line of said $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 1102.81 feet to the point of beginning: Thence continue North along the East line of said $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 233.47 Feet: Thence turn an angle of 87 deg. 49 min. to the left and run a distance of 508.50 feet to the East margin of Hoover Road: Thence turn an angle 65 deg. 07 min. 56 sec. to the left and run along said road margin a distance of 255.61 feet: Thence turn an angle of 114 deg. 44 min. 27 sec. to the left and run a distance of 624.89 feet to the point of beginning. Situated in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 14, Township 21 South, Range 2 West, Huntsville Meridian, Shelby County, Alabama.

INDEXING INSTRUCTIONS: NE $\frac{1}{4}$, SECTION 14 TOWNSHIP 21 SOUTH, RANGE 2 WEST.