

MODIFICATION OF MORTGAGE

THIS **MODIFICATION OF MORTGAGE** is effective as of the 4th day of January, 2012, by and between **RUSERT HOMES, LLC**, an Alabama limited liability company (the "Mortgagor") and **SERVISFIRST BANK**, an Alabama State Bank (the "Lender").

BACKGROUND

Mortgagor and Lender entered into a security instrument dated October 26, 2011, and recorded on November 2, 2011, in Instrument Number 20111102000327900, in the Probate Court of Shelby County, Alabama, and covered the following described property:

Lot 322, according to the Survey of Final Plat of Willow Oaks, as recorded in Map Book 38, Page 137 A, B and C, in the Probate office of Shelby County, Alabama.

MODIFICATION

For value received, Mortgagor and Lender agree to modify the Security Instrument by increasing the amount of the mortgage from One Hundred Ninety Two Thousand and no/100 Dollars (\$192,000.00) to Two Hundred Twelve Thousand Five Hundred and no/100 Dollars (\$212,500.00).

WARRANTY OF TITLE

Mortgagor warrants that Mortgagor continues to be lawfully seized of the estate conveyed by the Security Instrument and have the right to grant, bargain, convey, sell and mortgage with the power of sale the Property. Mortgagor also warrants that the Property is unencumbered, except for encumbrances of record.

CONTINUANCE OF TERMS

Except as specifically amended in this Modification, all of the terms of the Security Instrument shall remain in force and effect.

MORTGAGOR:

Rusert Homes, LLC

By: _____ [SEAL]
Jeffrey Michael Rusert, Its Sole Member

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a notary public in and for said County and State, hereby certify that Jeffrey Michael Rusert, whose name as Sole Member of Rusert Homes, LLC, an Alabama Limited Liability Company, is signed to the foregoing document and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such Sole Member and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this 4th day of January, 2012.



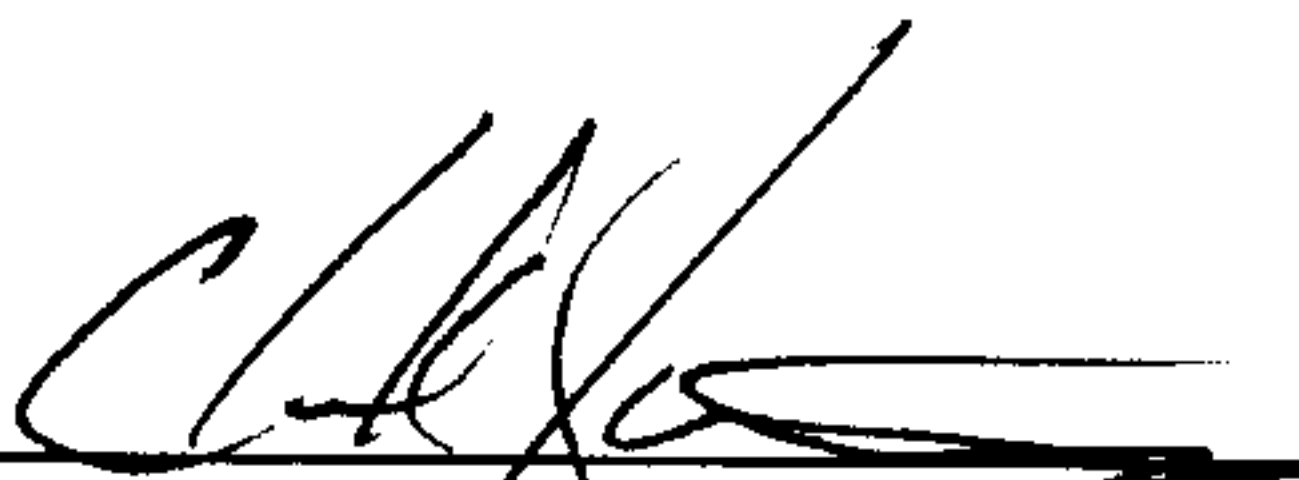
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Shelby Cnty Judge of Probate, AL
01/10/2012 10:01:01 AM FILED/CERT



NOTARY PUBLIC - Jeff W. Parmer
My Commission Expires: 9/22/2012

LENDER:

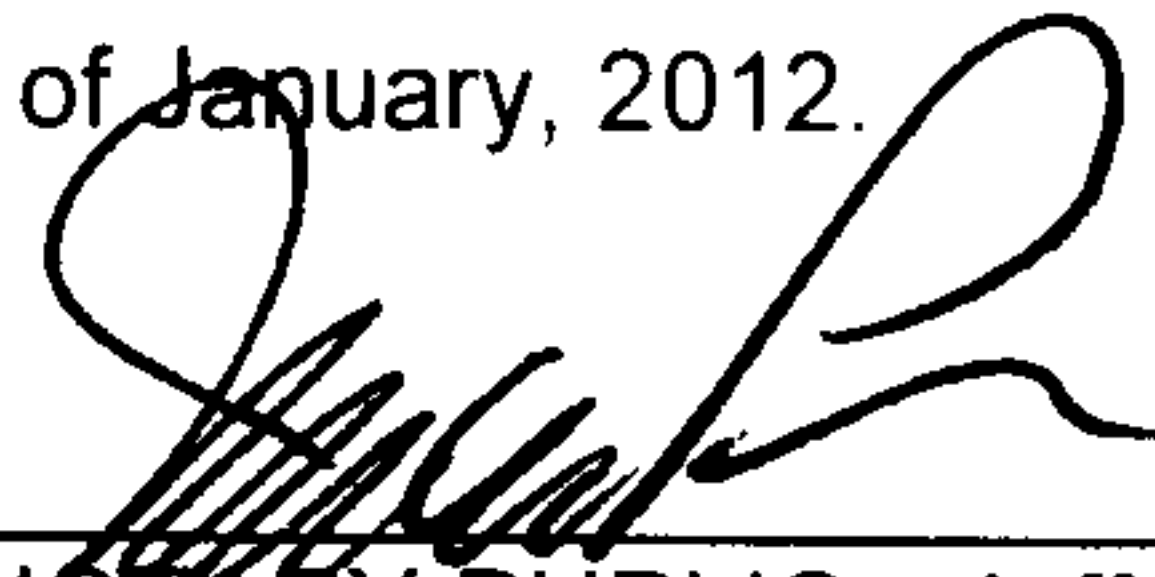
SERVISFIRST BANK, an Alabama State Bank

By:  [SEAL]
Clark Zinsmeister,
Its Vice President

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned Notary Public in and for said County, in said State, hereby certify that Clark Zinsmeister, whose name as Vice President of ServisFirst Bank, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he as such officer and with full authority, executed the same as the act of said bank.

Given under my hand and official seal this 4th day of January, 2012.



NOTARY PUBLIC - Jeff W. Parmer
My Commission Expires: 9/22/2012

This Instrument Prepared By:
Jeff W. Parmer
LAW OFFICES OF JEFF W. PARMER, LLC
850 Shades Creek Parkway, Suite 210
Birmingham, AL 35209
(205) 871-1440


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