

Corrective Mortgage Modification - Correct Legal Description

RECORDATION REQUESTED BY:

First Bank of Alabama
120 East North Street
P.O. Box 797
Talladega, AL 35160

E-RECORDED

ID: 20210114000023730

County: Shelby

Date: 1/14/2021

WHEN RECORDED MAIL TO:

First Bank of Alabama
120 East North Street
P.O. Box 797
Talladega, AL 35160

20221108000417500

11/08/2022 11:30:41 AM

MORTCORR 1/4

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE



00000000020077716074001042021#####

Notice: This Modification of Mortgage does not secure new indebtedness or an increased amount of debt under the Note (as defined below).

THIS MODIFICATION OF MORTGAGE dated January 4, 2021, is made and executed between Tuscacal LLC, an Alabama Limited Liability Company, whose address is 2084 Valleydale Road, Hoover, AL 35422 (referred to below as "Grantor") and First Bank of Alabama, whose address is 120 East North Street, P.O. Box 797, Talladega, AL 35160 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated August 11, 2020 (the "Mortgage") which has been recorded in Shelby County, State of Alabama, as follows:

Mortgage recorded on 08/13/2020 in Instrument # 20200813000347160 and an Assignment of Rents recorded on 08/13/2020 in Instrument # 20200813000347170, both recorded at the Judge of Probate Office in Shelby County, Alabama.

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

See the exhibit or other description document which is attached to this Modification and made a part of this Modification as if fully set forth herein.

The Real Property or its address is commonly known as 213, 232 and 236 Wisteria Lane, Alabaster, AL 35007.

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

To replace Real Property located at 200 and 204 Stoneykirk Way, Pelham, AL 35124 with Real Property located at 213, 232 and 236 Wisteria Lane, Alabaster, AL 35007. See attached Exhibit 'A'.

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.

**MODIFICATION OF MORTGAGE
(Continued)**

Loan No: 20077716

Page 2

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 4, 2021.

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:

TUSCACAL LLC

By: [Signature] (Seal)
Michael R. McMullen, Member of Tuscacal LLC

LENDER:

FIRST BANK OF ALABAMA

X [Signature] (Seal)
Rodger L Harris, Vice President, Commercial Lending

This Modification of Mortgage prepared by:

Name: Jamie Horton, Loan Processor
Address: 120 East North Street
City, State, ZIP: Talladega, AL 35160

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 Michael R. McMullen, Member of Tuscacal LLC, a limited liability company, 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, he or she, as such member 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 January, 2021.

[Signature]
Notary Public

My commission expires 5/25/22

FRANK MERRY
NOTARY PUBLIC
STATE OF ALABAMA

**MODIFICATION OF MORTGAGE
(Continued)**

Loan No: 20077716

Page 3

LENDER ACKNOWLEDGMENTSTATE OF Alabama

)

COUNTY OF Talladega

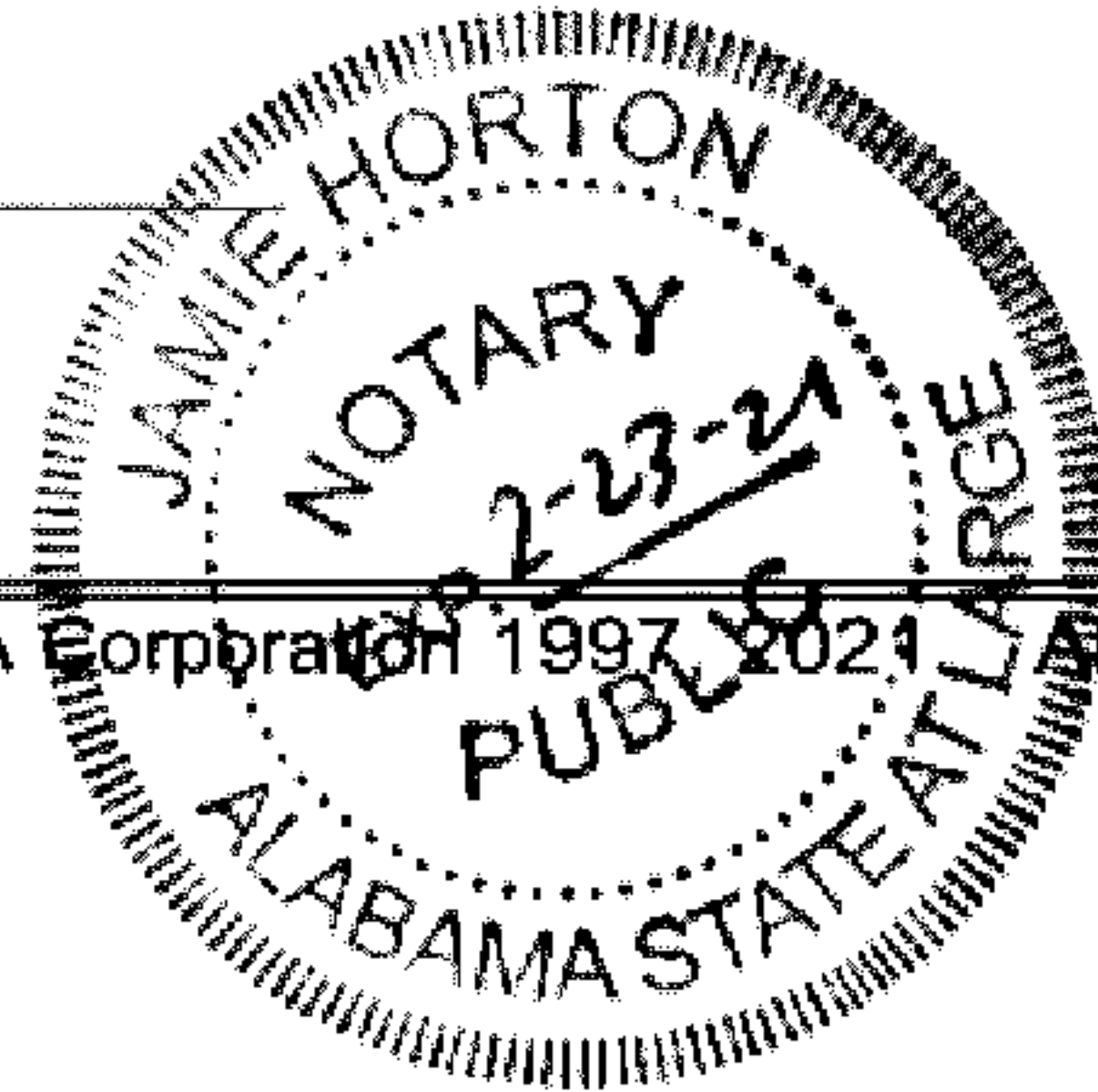
) SS

)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that **Rodger L Harris** whose name as **Vice President, Commercial Lending of First Bank of Alabama** 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 the Modification of Mortgage, he or she, in his or her capacity as such **Vice President, Commercial Lending of First Bank of Alabama**, executed the same voluntarily on the day same bears date.

Given under my hand and official seal this 12th day of January, 2021.

Notary Public

My commission expires 2-23-21

20221108000417500 11/08/2022 11:30:41 AM MORTCORR 4/4
EXHIBIT "A"

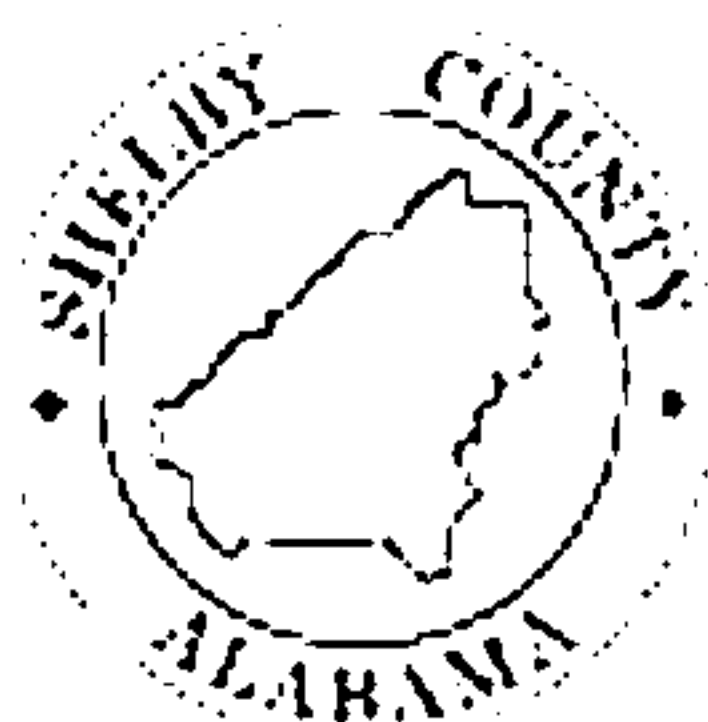
Lot 26A, according to the Resurvey of Wisteria Lot 26, Common Area "A" and Boothe Property, as recorded in Map Book 43, Page 43, in the Probate Office of Shelby County, Alabama.

Lots 18 and 19, according to the Survey of Wisteria, as recorded in Map Book 39, Page 23, in the Probate Office of Shelby County, Alabama.

CORRECTED LEGAL DESCRIPTION

Lot 26A, according to the Resurvey of Wisteria Lot 26, Common Area "A" and Boothe Property, as recorded in Map Book 43, Page 43, in the Probate Office of Shelby County, Alabama.

Lots 18 and 19, according to the Survey of Wisteria, as recorded in Map Book 39, Page 23, in the Probate Office of Shelby County, Alabama.



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
11/08/2022 11:30:41 AM
\$32.00 JOANN
20221108000417500

Allen S. Bayl