

RECORDATION REQUESTED BY:
AVADIAN CREDIT UNION
Commercial Construction
3301 Memorial Parkway SW
Huntsville, AL 35801

20221122000430820
11/22/2022 12:40:26 PM
MORTAMEN 1/3

WHEN RECORDED MAIL TO:
Avadian Credit Union
Attn. Loan Administration
3301 Memorial Parkway SW
Huntsville, AL 35801

SPACE ABOVE THIS LINE IS FOR RECORDER'S USE ONLY

MODIFICATION OF MORTGAGE

Notice: The original principal amount available under the Note (as defined below), which was \$755,200.00 (on which any required taxes already have been paid), now is increased by an additional \$75,200.00.

THIS MODIFICATION OF MORTGAGE dated November 16, 2022, is made and executed between Ken Underwood Development, Inc, Alabama Corporation, whose address is 577 Shoal Ridge Drive, Leeds, AL 35094 (referred to below as "Grantor") and AVADIAN CREDIT UNION, whose address is 3301 Memorial Parkway SW, Huntsville, AL 35801 (referred to below as "Lender").

MORTGAGE. Lender and Grantor have entered into a Mortgage dated March 24, 2022 (the "Mortgage") which has been recorded in Shelby County, State of Alabama, as follows:

Mortgage dated March 24, 2022 in the amount of \$755,200.00 and recorded in Document #20220325000122920 on March 25, 2022 in the Office of the Judge of Probate of Shelby County, Alabama.

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

Lot 21-12, according to the Survey of Mt. Laurel, Phase 3B, Sector 2, as recorded in Map Book 41, Page 44, in the Probate Office of Shelby County, Alabama.

The Real Property or its address is commonly known as 132 Elyton Drive, 132 Elyton Drive, AL 35242.

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

Mortgage and Promissory Note date March 24, 2022 are being increased from \$755,200.00 to \$830,400.00. .

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.

MODIFICATION OF MORTGAGE (Continued)

Loan No: 83

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GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF MORTGAGE AND GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF MORTGAGE IS DATED NOVEMBER 16, 2022.

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:

KEN UNDERWOOD DEVELOPMENT, INC

By: *Ken Underwood* (Seal)
Ken Underwood, President of Ken Underwood
Development, Inc

LENDER:

AVADIAN CREDIT UNION

X *Marks Davidson* (Seal)
Marks Davidson, Residential Construction Loan
Officer

This Modification of Mortgage prepared by:

Name: Barbara S. Cunningham, Sr. Construction Loan Processor
Address: 3301 Memorial Parkway SW
City, State, ZIP: Huntsville, AL 35801

CORPORATE 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 Ken Underwood, President of Ken Underwood Development, Inc, 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 16 day of November, 2022.
Jalyn Kearra Frazier
Notary Public

My commission expires 2 May 2026

MODIFICATION OF MORTGAGE

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LENDER ACKNOWLEDGMENT

STATE OF Alabama

COUNTY OF Shelby

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I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Marks Davidson whose name as Residential Construction Loan Officer of AVADIAN CREDIT UNION 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 Residential Construction Loan Officer of AVADIAN CREDIT UNION, executed the same voluntarily on the day same bears date.

Given under my hand and official seal this

16

day of

November

20

23

Jalyn Kearra Frazier
Notary Public

My commission expires

2 May 2026



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
11/22/2022 12:40:26 PM
\$29.00 BRITTANI
20221122000430820

Allen S. Bayl