

## STATE OF ALABAMA

This Subordination Agreement, made and entered into this the 25th day of October, 1991, by and between Southtrust Bank of Alabama, N. A., as Party of the First Part, and Southtrust Mortgage Corporation, as Party of the Second Part.

THAT, WHEREAS, Frederick J. Engelke and Cheryl P. Engelke,  
has/have an outstanding lien in favor of Southtrust Bank of Alabama, N. A.  
, dated July 25, 1989 and recorded in the  
Probate Office of Shelby County, Alabama, in Book 267, pages 551-554  
on certain real estate described therein to secure an indebtedness of \$39,000.00,  
and said lien is in full force and effect; and,

WHEREAS, Frederick J. Engelke and Cheryl P. Engelke has/have made an application to the Party of the Second Part for a loan in the sum of \$ 45,500.00 and said Party of the Second Part is willing to make said loan to the said Frederick J. Engelke and Cheryl P. Engelke, provided they furnish it with a mortgage on the lands described in the aforesaid lien, and the said Frederick J. Engelke and Cheryl P. Engelke subordinate the above described lien and make the same second and subservient to the mortgage of Southtrust Mortgage Corporation; and

WHEREAS, the said Party of the First Part is willing to subordinate its said lien and make the second and subservient to the mortgage of the said Party of the Second Part as an inducement to it to make said loan.

NOW THEREFORE, in consideration of the premises and the further consideration of the sum of \$ -0-, cash in hand paid, the Party of the First Part by the Party of the Second Part, the receipt of which is hereby acknowledged, the said Party of the First Part does hereby agree that the lien of Frederick J. Engelke and Cheryl P. Engelke to Southtrust Bank of Alabama, N. A., dated July 25, 1988 and recorded in the Probate Office of Shelby County, Alabama in Book 267, pages 551-554, shall be second and subservient to the mortgage of Frederick J. Engelke and Cheryl P. Engelke to Southtrust Mortgage Corporation, dated October 25, 1991 and recorded in the Probate Office of Shelby County, Alabama in Volume 372 Page 660 to secure the sum of \$ 45,500.00, plus interest on the land described therein, and the said lien of the said Southtrust Bank of Alabama, N. A. shall be subordinate to the mortgage of Southtrust Mortgage Corporation

IT IS FURTHER agreed that should Frederick J. Engelke and Cheryl P. Engelke  
default in his/her/their payments under the terms of  
the real estate mortgage to Southtrust Mortgage Corporation,  
the said Southtrust Mortgage Corporation agrees to notify  
Southtrust Bank of Alabama, N. A. of said default prior to  
 taking legal action.

IN WITNESS WHEREOF, the said Southtrust Bank of Alabama, N. A. by \_\_\_\_\_  
has caused his name to be hereunto signed on this the 25th day of October,  
1991.

**Southtrust Bank of Alabama, N. A.**

**BY:**

As its:

STATE OF ALABAMA  
COUNTY OF JEFFERSON

B. I, the undersigned, a Notary Public in and for said State and County, hereby certify that Gerald Watkins, whose name as Southtrust Bank of Alabama, N. A. is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of this conveyance and with full authority as such officer, executed the same voluntarily for and as the act of said Corporation.

Given under my hand and seal of office this 25th day of October, 1991.

My commission expires:

MY COMMISSION EXPIRES JULY 9, 1992

Southtrust Bank of Alabama, N. A.  
P. O. Box                      Birmingham, AL 35201

**Notary Public**