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**SUBORDINATION AGREEMENT**

STATE OF ALABAMA  
COUNTY OF Shelby

This Subordination Agreement, made and entered into on this the        day of February, 1992, by and between APCO Employees Credit Union, as Party of the First Part, and Collateral Mortgage, Ltd., as Party of the Second Part.

**W I T N E S S E T H**

THAT, WHEREAS, John A. Posenecker and wife, Margaret M. Posenecker, has/have an outstanding lien in favor of APCO Employees Credit Union, dated 4-1-91, and recorded in the Probate Office of Shelby County, Alabama, in Volume 338, Page 716 on certain real estate described therein to secure an indebtedness of \$ 6,500.00, and said lien is in full force and effect; and,

WHEREAS, John A. Posenecker and wife, Margaret M. Posenecker has/have made an application to the Party of the Second Part for a loan in the sum of \$ 94,500.00 and said Party of the Second Part is willing to make said loan to the said John A. Posenecker and wife, Margaret M. Posenecker, provided they furnish it with a mortgage on the lands described in the aforesaid lien, and the said APCO Employees Credit Union subordinate the above described lien and make the same second and subservient to the mortgage of Collateral Mortgage, Ltd.; and

WHEREAS, the said Party of the First Part will 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 \$ n/a, 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 John A. Posenecker and wife, Margaret M. Posenecker to APCO Employees Credit Union, dated 4-11-91 and recorded in the Probate Office of Shelby County, Alabama, in Volume 338, Page 716, shall be second and subservient to the mortgage of John A. Posenecker and wife, Margaret M. Posenecker to Collateral Mortgage, Ltd., dated        and recorded in the Probate Office of Shelby County, Alabama, in Volume       , Page        to secure the sum of \$ 94,500.00, plus interest, on the land described therein, and the said lien of the said APCO Employees Credit Union shall be subordinate to the mortgage of Collateral Mortgage, Ltd..

IT IS FURTHER agreed that should John A. Posenecker and wife, Margaret M. Posenecker default in his/her/their payments under the terms of the real estate mortgage to Collateral Mortgage, Ltd., the said Collateral Mortgage, Ltd. agrees to notify APCO Employees Credit Union of said default prior to taking legal action.

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IN WITNESS WHEREOF, the said V. MERRILL MANN  
has caused his name to be hereunto  
signed on this the 25 day of February, 1992.

APCO Employees Credit Union

BY: V. Merrill Mann  
ITS: Vice President

STATE OF ALABAMA  
COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said State and  
County, hereby certify that V. MERRILL MANN,  
whose name as VICE PRESIDENT of APCO Employees  
Credit Union 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 25 day of February, 1992.

Jane G. Smith  
Notary Public  
My commission expires: 7/25/95

This instrument was prepared by  
S. Kent Stewart  
Stewart & Associates, P.C.  
3800 Colonnade Parkway, Suite 650  
Birmingham, Alabama 35243

1. Deed Tax	\$	
2. Mig. Tax	\$	
3. Recording Fee	\$	5.00
4. Indexing Fee	\$	3.00
5. No. tax fee	\$	
6. Certified Fee	\$	1.00
Total	\$	9.00

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
92 MAR 17 AM 10:22

JUDGE OF PROBATE