

SUBORDINATION AGREEMENT

THIS SUBORDINATION OF MORTGAGE executed this 30<sup>th</sup> day of April, 1993, by First Alabama Bank (hereinafter referred to as the "Mortgagee").

WITNESSETH:

WHEREAS, Mortgagee is the owner and holder of that certain second mortgage (with a maximum line of \$15,875.00 available to draw) from Albert L. Weber and wife, Marilyn H. Weber, as recorded in Instrument No. 1992-28427 in the Office of Shelby County, Alabama, being more particularly described as follows:

A part of Tract 2, according to the survey of Chestnut Glen Estates, as recorded in Map 13, Page 77, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama, described as follows: Commence at the NE corner of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 23, Township 20 South, Range 4 West, said point being the point of beginning; thence proceed South along the East line of said  $\frac{1}{4}$   $\frac{1}{4}$  for a distance of 418.06 feet; thence turn an angle to the right of 83 degrees 38 minutes 43 seconds for a distance of 482.51 feet; thence turn an angle to the right of 100 degrees 44 minutes 42 seconds for a distance of 346.76 feet; thence turn an angle to the left of 53 degrees 09 minutes 54 seconds for a distance of 222.39 feet to a point on a cul-de-sac having a central angle of 26 degrees 02 minutes 37 seconds and a radius of 66.0 feet; thence turn an angle to the right as measured from the chord of said curve, for a distance of 30.0 feet along the arc of said curve; thence turn an angle to the right of 76 degrees 58 minutes 42 seconds as measured from the chord of said curve if extended, for a distance of 189.12 feet; thence turn an angle to the left of 15 degrees 55 minutes 21 seconds for a distance of 423.81 feet to the point of beginning.

AND WHEREAS, MortgageAmerica, Inc. is making a mortgage loan to Albert L. Weber and wife, Marilyn H. Weber (to refinance the original first mortgage loan to BancBoston Mortgage Corporation recorded in Real 363, Page 142; assigned to Household Bank, F.S.B. by Instrument No. 1992-4454 in the Probate Office of Shelby County, Alabama) in the amount of \$181,000.00, said loan secured by a mortgage which encumbers the above described real property;

WHEREAS, MortgageAmerica, Inc., as a condition for making said new mortgage loan, requires Mortgagee to subordinate the lien of its mortgage to the lien of the new MortgageAmerica, Inc. mortgage, and Mortgagee has agreed to do so.

NOW, THEREFORE, for and in consideration of the premises hereof and of the mutual advantages, and benefits accruing to the parties hereto, and in further consideration of the sum of TEN DOLLARS in hand paid by MortgageAmerica, Inc. the receipt and sufficiency of which is hereby acknowledged, Mortgagee does hereby covenant, consent and agree to and with MortgageAmerica, Inc., that the lien of First Alabama Bank, shall be and the same is hereby made subordinate, inferior, and subject in every respect to the lien of MortgageAmerica, Inc., which was granted by Albert L. Weber and wife, Marilyn H. Weber to MortgageAmerica, Inc., to refinance the

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original mortgage recorded in Real 363, Page 142; assigned by Instrument No. 1992-4454, in in the Probate Office of Shelby County, Alabama, which encumbers the above described property; provided, however, that this subordination is limited to the amount of \$181,000.00.

IN WITNESS WHEREOF, this agreement is executed the day and year first above written.

Signed, sealed and delivered  
in the presence of:

Jerry Mullins

FIRST ALABAMA BANK

By: Esther W Daulton  
Esther W. Daulton  
Retail Loan Officer  
32nd Street Office

STATE OF ALABAMA

COUNTY OF JEFFERSON

The foregoing instrument was acknowledged before me this 30th day of April, 1993, by Esther W. Daulton, as Retail Loan Officer/ 32nd Street Office of FIRST ALABAMA BANK, on behalf of the Bank.

Camille L. Melville  
Notary Public

My Commission Expires: 8-24-94

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