

## SUBORDINATION AGREEMENT

STATE OF ALABAMA  
COUNTY OF JEFFERSON

This Subordination Agreement, made and entered into on this the 16 day of July, 1993, by and between AMSOUTH BANK, N.A., as Party of the First Part, and COMMUNITY MORTGAGE CORPORATION, as Party of the Second Part.

## W I T N E S S E T H

That, whereas, RICHARD W. ATCHISON AND WIFE, JOANNE H. ATCHISON, have an outstanding lien in favor of AMSOUTH BANK, N.A. dated August 25, 1992 and recorded in the Probate Office of SHELBY County, Alabama in Official Record ~~XXXX~~ Inst 1992-19775 ~~XXXX~~, on certain real estate described therein to secure an indebtedness of \$ 21,200.00, and said lien is in full force and effect; and,

Whereas, RICHARD W. ATCHISON AND JOANNE H. ATCHISON have made an application to the Party of the Second Part for a loan in the sum of \$ 114,500.00 and said Party of the Second Part is willing to make said loan to the said RICHARD W. ATCHISON AND JOANNE H. ATCHISON, provided they furnished it with a mortgage on the lands described in the aforesaid lien, and the said AMSOUTH BANK, N.A. subordinate the above described lien and make the same second and subservient to the mortgage of COMMUNITY MORTGAGE CORPORATION.

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 Part of the Second Part as an inducement to it to make said loan.

Now therefore, in consideration of the premises and further consideration of the sum \$ 00, 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 RICHARD W. ATCHISON AND JOANNE H. ATCHISON to AMSOUTH BANK, N.A., dated August 25, 1992 and recorded in the Probate Office of SHELBY County, Alabama in Official Record ~~XXXX~~ Inst. 1992, Page 19775, shall be second and subservient to the mortgage of RICHARD W. ATCHISON AND JOANNE H. ATCHISON to COMMUNITY MORTGAGE CORPORATION, dated July 16, 1993 and recorded in the Probate Office of SHELBY County, Alabama in Official Record ~~XXXX~~ Inst. 1993, Page 22468, to secure the sum of \$ 114,500.00 plus interest, on the land described therein, and the said lien of the said AMSOUTH BANK, N.A. shall be subordinate to the mortgage of COMMUNITY MORTGAGE CORPORATION.

It is further agreed that should RICHARD W. ATCHISON AND JOANNE H. ATCHISON default in their payments under the terms of the real estate mortgage to COMMUNITY MORTGAGE CORPORATION, the said COMMUNITY MORTGAGE CORPORATION agrees to notify AMSOUTH BANK, N.A. of said default prior to taking legal action.

IN WITNESS WHEREOF, the said E.L. Morris, Jr., whose name as Vice President of AMSOUTH BANK, N.A. has signed his name to the foregoing instrument on this 16th day of July, 1993.

AMSOUTH BANK, N.A.

BY:

E. L. Morris, Jr.  
Its: Vice President

Inst # 1993-22469

07/30/1993-22469  
08:59 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

002 MCD

11.00

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said State and in said County, hereby certify that E. L. Morris, Jr., whose name as Vice President of AMSOUTH BANK, N.A., a banking institution, 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 the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said banking institution.

Given under my hand and seal this 16th day of July, 1993.

Sandra K Jones  
Notary Public

My commission expires: 11-19-94

This instrument prepared by:  
S. Kent Stewart, Attorney at Law  
3800 Colonnade Parkway, Suite 650  
Birmingham, Alabama 35243

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