

SUBORDINATION AGREEMENT

This Agreement made this date by SouthTrust Bank of Alabama, National Association (herein called First Party), in favor of SouthTrust Mortgage Corporation (herein called Second Party).

Whereas, First Party is the owner and holder of that certain mortgage recorded in Instrument 1997-01862, in the Probate Office of Shelby County, Alabama, which said mortgage encumbers the property described as follows:

Lot 6, according to the Survey of First Addition to Indian Creek Estates, as recorded in Map Book 12, page 54, in the Probate Office of Shelby County, Alabama.

Whereas, Second Party, on April 22, 1997, made a loan secured by a mortgage executed by Thomas R. Marquardt and Wanda Marquardt, Husband and Wife in the amount of \$187,000.00 secured by a mortgage on the above-described property; and

Whereas, the Second Party will not make the said loan unless the First Party subordinates its mortgage to the Second Party.

Now, therefore, in consideration of One Dollar and other good and valuable considerations, the Parties hereto agree as follows:

The First Party, SouthTrust Bank of Alabama, National Association, consents and agrees that the mortgage recorded in Instrument 1997-01862 in the Probate Office of Shelby County, Alabama, is and shall continue to be, subject and subordinate in lien to the lien of the mortgage being made to the Second Party, which mortgage is recorded as Real 1997, page 13416 in the Probate Office of Shelby County, Alabama.

Dated this 22nd day of April, 1997.

**SOUTHTRUST BANK OF ALABAMA
NATIONAL ASSOCIATION**

By: Stephen A. Pierce
Its: loan officer

State of Alabama
County of Jefferson

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Stephen A. Pierce, whose name as loan officer of SouthTrust Bank of Alabama, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that being informed of the contents of the instrument, he as such officer and with full authority executed the same voluntarily on the date the same bears date for and as the act of said corporation.

Given under my hand and official seal this the 22nd day of April, 1997.

Kimberly J. Burger
NOTARY PUBLIC
My Commission Expires:

My Commission Expires December 7, 1998

10/21/1997-34104
09:10 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 9.50

Inst # 1997-34104