

STATE OF ALABAMA
JEFFERSON COUNTY

SUBORDINATION OF MORTGAGE

THIS SUBORDINATION OF MORTGAGE executed this 28th day of April, 1998, by FIRST COMMERCIAL BANK ("First Commercial"), and Michael J. Wenning and wife, Barbara A. Wenning ("Wennings").

WITNESSETH:

WHEREAS, Michael J. Wenning and wife, Barbara A. Wenning is/are the owner(s) of the real estate more particularly described as follows:

Lot 5, Country Club Village, an Inverness Garden Home Community, as recorded in Map Book 16, page 47, in the Probate Office of Shelby County, Alabama.

WHEREAS, Wennings' heretofore executed a mortgage in favor of First Commercial Bank, filed for record March 10, 1994, recorded in 1994-07775, in the Probate Office of Shelby County, Alabama (the "First Commercial Mortgage"); and

WHEREAS, Wennings' now desire(s) to obtain a mortgage loan from Synovus Mortgage Corp. (the "Synovus Mortgage") in the principal amount of \$ 160,000.00; and

WHEREAS, Synovus Mortgage Corp. is desirous of extending credit to Wennings' provided that First Commercial subordinates the lien of the First Commercial Mortgage; and

WHEREAS, in order to induce Synovus Mortgage Corp. to make the loan to Wennings', First Commercial is willing and desirous to subordinate the lien of the First Commercial Mortgage to the lien of the mortgage of Synovus Mortgage Corp. dated 28th day of April, 1998, executed by Wennings', filed for record in the Probate Office of Shelby County, Alabama, recorded in 1998-17901.

NOW, THEREFORE, for and in consideration of the premises and of Ten and No/100 Dollars (\$10.00) and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned do hereby covenant, stipulate, warrant and agree as follows:

1. First Commercial hereby subordinates all its right, title and interest in and to the lien created by the First Commercial Mortgage and other loan documents as defined in the mortgage in favor of Synovus Mortgage Corp., its successors and assigns; provided, however, that nothing herein shall be construed to subordinate any rights that First Commercial may have under its mortgage to any debts owing to Synovus Mortgage Corp. by (the) Wennings' in excess of the original \$ 160,000.00 secured by the Synovus Mortgage.

2. Wennings', as mortgagor(s) under the First Commercial Mortgage, hereby consent(s) to the subordination of the First Commercial Mortgage to the Synovus Mortgage.

1998-17904

05/15/1998-17904
10:15 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 HLB 11.00

IN WITNESS WHEREOF, the parties have hereunto caused this Subordination of Mortgage to be executed effective this 28th day of April, 1998.

Michael J. Wenning
Michael J. Wenning

Barbara A. Wenning
Barbara A. Wenning

FIRST COMMERCIAL BANK

BY: Tonya Mackinaw
Tonya Mackinaw

ITS: Home Equity Officer

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Michael J. Wenning and wife, Barbara A. Wenning whose names are signed to the foregoing Subordination, and who are known to me, acknowledged before me on this day that, being informed of the contents of the Subordination, have executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 28th day of April, 1998.

[Signature]
Notary Public
01-24-99

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Tonya Mackinaw, whose name as Home Equity Officer, of FIRST COMMERCIAL BANK, is signed to the foregoing Subordination, and who is known to me acknowledged before me this day that, being informed of the contents of said instrument, has as such officer, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 28th day of April, 1998.

Leann C. Cox
Notary Public
NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: Aug 5, 2001.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

05/15/1998-17904

05/15/1998-17904
10:15 AM CERTIFIED
SHELBY COUNTY ALABAMA
JUL 15 1998