

**STATE OF ALABAMA
COUNTY OF Shelby**

SUBORDINATION AGREEMENT

THIS SUBORDINATION AGREEMENT, made and entered into this the 23 day of October, 1998, by and between **SouthTrust Bank, National Association**, (hereinafter "SouthTrust"), and **Castle Mortgage Corporation** (hereinafter "Castle").

WITNESSETH THAT, WHEREAS, Jonathan M. Davidson, an unmarried person, have an outstanding mortgage lien in favor of **SouthTrust** on that certain real property described hereinafter to secure an indebtedness in the amount of \$15,000.00 and increased to 22,000.00 in the Modification, and said lien is in full force and effect, said real property being more particularly described as follows:

Lot 57, according to the Survey of Magnolia Park St. Charles Place, Sector One, as recorded in Map Book 21, Page 4, in the Probate Office of Shelby County, Alabama.

and,

WHEREAS, Jonathan M. Davidson, an unmarried person (hereinafter "Borrower", whether on or more), has/have made an application to **Castle** for a loan in the sum of \$ 90000 and **Castle** is willing to make said loan to Borrower provided he/she/they furnish it with a mortgage on the lands described in the aforesaid lien, and further provided that **SouthTrust** subordinate the hereinabove described lien and make the same second and subservient to the mortgage of **Castle**; and

WHEREAS, it is the desire and intention of **SouthTrust** to subordinate the lien, operation and effect of the above described mortgage in favor of **SouthTrust**, for the full balance thereof, to the lien and operation of the aforesaid mortgage of **Castle**, in order that last said lien and mortgage shall become a lien of first priority on the real property described hereinabove, and further, that the lien and mortgage in favor of **SouthTrust** shall be, and the same are by these presents made, second, junior and subservient to that lien and mortgage of **Castle** in every manner whatsoever.

NOW THEREFORE, in consideration of the premises and the sum of Ten and 00/100 (\$10.00), receipt of which is acknowledged, the undersigned does hereby agree that the mortgage lien of Jonathan M. Davidson, an unmarried person to **SouthTrust Bank, National Association**, dated October 13, 1997 and Modified on January 8, 1998, and recorded as Instrument No. 1997-38119 and Modified in Instrument No. 1998-06180 in the Office of the Judge of Probate of Shelby County, Alabama, shall be second and subservient to that certain first mortgage of Jonathan M. Davidson, an unmarried person to **Castle Mortgage Corporation**, dated October 23rd, 1998, and recorded as Instrument No. 1998-43093, in the Office of the Judge of Probate of Shelby, Alabama, to secure the sum of \$90000, plus interest thereon, said lien of **SouthTrust Bank, National Association** being subordinated to the first mortgage of **Castle Mortgage Corporation**.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on this the 23 day of October, 1998.

SouthTrust Bank, National Association

By: Stephen A. Perice
Its: Asst. Vice President

Inst # 1998-43094

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STATE OF ALABAMA
COUNTY OF

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Stephen A. Pierce whose name as AUP of SouthTrust Bank, National Association, a corporation, 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 this instrument, he/she, as such office and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this 23rd day of October, 1998.



Notary Public
My Commission Expires: 6-9-02

THIS INSTRUMENT PREPARED BY:
W. RUSSELL BEALS, JR.
Attorney at Law
200 Cahaba Park South
Suite 104
BIRMINGHAM, ALABAMA 35242

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