

SUBORDINATION AGREEMENT

This Subordination of Mortgage is executed this 15 day of May, 2001 by Compass Bank.

WITNESSETH

WHEREAS, Compass Bank is the owner and holder of that certain mortgage from Thomas L. Francavilla and his wife Donna T. Francavilla dated October 15, 1999, recorded in Instrument 1999-44658 in the Probate Office of Shelby, Alabama, said property being more particularly described as follows:

Lot 42, according to the Survey of Greystone, 4th Sector, as recorded in Map Book 16, Page 89 A, B & C, in the Probate Office of Shelby County, Alabama.

WHEREAS, Union Planters Bank, N.A. is making a mortgage loan to Thomas L. Francavilla and his wife Donna T. Francavilla in the amount of Two Hundred Seventy-five Thousand and 00/100 Dollars (\$275,000.00) said loan secured by a mortgage which encumbers the above described real property.

WHEREAS, Union Planters Bank, N.A. as a condition for making a 1st mortgage loan requires Compass Bank to subordinate the lien of its mortgage to the lien of Union Planters Bank, N.A. and Compass Bank has agreed to do so.

NOW, THEREFORE, for and in consideration of the premises hereof and of mutual advantages and benefits accruing to the parties hereto and in further consideration of the sum of Ten and 00/100 Dollars (\$10.00) in hand paid by Union Planters Bank, N.A. to Compass Bank, the receipt and sufficiency of which is hereby acknowledged, Compass Bank does hereby covenant, consent and agree to and with Union Planters Bank, N.A. that the lien of Compass Bank shall be and the same is hereby made subordinate, inferior and subject in every respect to the lien of Union Planters Bank, N.A. which encumbers the above described property provided, however, that the subordination is limited to the amount of Ninety-nine Thousand Nine Hundred Ninety-nine and 00/100 Dollars (\$99,999.00).

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

Signed, sealed and delivered in the presence of:

John P. Alexander

COMPASS BANK

By: [Signature]

Its: Asst. Vice pres.

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that J. S. Byrd whose name as Asst. Vice pres. of Compass Bank, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that being informed of the content of said instrument, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this 15 day of May, 2001.

Nora L. Capps
Notary Public:
My commission expires: 9-2-2001

05/23/2001-20974
11:49 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MEL