

SUBORDINATION AGREEMENT

STATE OF ALABAMA
COUNTY OF JEFFERSON

This Subordination Agreement, made and entered into on this the 25 day of January, 2002, by and between: SOUTHTRUST BANK as party of the First Part and WELLS FARGO HOME MORTGAGE, party of the Second Part.

WITNESSETH:

That, Whereas, RICHARD FISH AND JOSEPHINE FISH, have an outstanding lien in favor of: SOUTHTRUST BANK dated the 14th day of December 1998, and recorded in the Probate Office of Shelby County, Alabama, in Instrument 1998-17004 securing an indebtedness of \$51,00.00 on certain real estate described therein and said lien is in full force and effect; and,

Whereas, RICHARD FISH AND JOSEPHINE FISH, made an application to the Party of the Second Part for a loan in the sum of \$66,650.00 and said Party of the Second Part is willing to make said loan to the said RICHARD FISH AND JOSEPHINE FISH, provided they furnish it with a mortgage on the lands described in the aforesaid lien, and the said Party of the First Part subordinate the above-described lien and make the same second and subservient to the mortgage of WELLS FARGO HOME MORTGAGE, and

Whereas, the said Party of the First Part is willing to subordinate its said lien and make the lien second and subservient to the mortgage of the said Party of the Second Part as an inducement to it to make said loan.

Now, Therefore, in consideration of the premises and the further consideration of the sum of \$1.00, cash, in hand paid, the Party of the First Part by the Party of the Second Part, the receipt of which is hereby acknowledge, the said Party of the First Part does hereby agree that the lien of SOUTHTRUST BANK, dated December 14, 1998, and recorded in Probate Office of Shelby County, Alabama, in Instrument 1998-17004 shall be subordinate to the mortgage of FIRST WELLS FARGO HOME MORTGAGE.

IT IS FURTHER agreed that should RICHARD FISH AND JOSEPHINE FISH default in the payments under the terms of the real estate mortgage to Party of the Second Part, the said Lender agrees to notify Party of the First Part of said default prior to taking legal action.

02/06/2002-06404
11:34 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
14.00

Inst # 2002-06404

Subordination Agreement

IN WITNESS WHEREOF, the said Party of the First Part has caused its name to be hereunto signed on this the 25 day of January, 2002.

SOUTHTRUST BANK.

BY Stephen A. Pierce
Its: Asst Vice Pres.

STATE OF ALABAMA
COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said county and state, hereby certify that Stephen A. Pierce whose named as Asst. Vice Pres. of SOUTHTRUST BANK, a corporation 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, the same was executed voluntarily and with full authority on the day the same bears date.

Given under my hand and official seal on this 25 day of January, 2002.

Linda F Myers
Notary Public
Commission Expires: MY COMMISSION EXPIRES MAY 30, 2005.

Prepared By: Moseley & Associates, P.C. 3800 Colonnade Parkway, Suite 630, Birmingham, Alabama 35243

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