

**SUBORDINATION OF MORTGAGE**

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned, Charter One Bank N.A., formerly known as Charter One Bank, F.S.B., whose address is 1215 Superior Ave., Cleveland, OH 44114, being the mortgagee under the following mortgage ("Subordinate Mortgage"):

Mortgage in the original amount of Forty Five Thousand and no/100 Dollars , \$45,000.00 , dated July 14, 2000 executed by Jeffrey C. Gleason and Jamie M. Gleason recorded on July 14, 2000, in Probate Record Book 2000 Page 24903 in the State of Alabama upon the following described premises.

Lot 302, according to the ameded map of Highland Lakes, 3rd Sector, Phase 1 as recorded in Map Book 21, Page 124 in the probate office of Shelby County

And commonly known as 1394 Highland Lakes Trail, Birmingham AL

Does hereby waive and subordinate the priority and operation of the Subordinate Mortgage upon the therein described premises to the following described mortgage ("New Mortgage"):

Mortgage to be executed by Jeffrey C. Gleason and Jamie M. Gleason as borrower, to New South Federal Savings Bank as Lender, securing a total indebtedness not to exceed Two Hundred Five Thousand and no/100 Dollars, (\$205,000.00) upon the above described property.

In order that the lien of the Subordinate Mortgage be taken as junior and inferior to the lien of the New Mortgage without otherwise affecting the lien of the Subordinate Mortgage.

This Agreement shall be governed by and construed in accordance with the laws of the State of Alabama applicable to contracts made and to be performed in said State, shall not be modified, amended or terminated orally, and shall be binding upon and inure to the benefit of the parties hereto and their respective successors, designees and assigns.

**IN WITNESS WHEREOF**, Charter One Bank, N.A. formerly Charter One Bank, F.S.B. has hereunto caused this subordination to be executed this 10th day of July, 2002.

**SIGNED IN THE PRESENCE OF: CHARTER ONE BANK, N.A, FORMERLY CHARTER ONE BANK F.S.B.**

Juli Tomasello  
Juli Tomasello  
Darlene Poole  
Darlene Poole

By: Chester Kapinski  
Chester Kapinski Vice President  
By: Calie Novotny  
Calie Novotny Authorized Signer

STATE OF OHIO )  
 ) ss.  
COUNTY OF CUYAHOGA )

**SWORN TO BEFORE ME**, a Notary Public, in and for said County and State, personally appeared Chester Kapinski, Vice President and Calie Novotny, Authorized Signer of Charter One Bank N.A., formerly Charter One Bank, F.S.B., who acknowledged that they did sign the foregoing instrument as its duly authorized officers, and that the same is the free act and deed of said corporation and the free act and deed of them personally and as said officers.

**WITNESS** my signature and notarial seal at Cleveland Ohio this 10th day of July, 2002.

Phyllis Chisholm  
Notary Public

This Instrument Prepared by and Return to:  
CHARTER ONE BANK, N.A.  
Attn: Loan Servicing, EV950  
75 Erieview Plaza, 3rd Floor  
Cleveland, OH 44114-3279  
Prepared by : Juli Tomasello  
Account No. 9930407641

PHYLLIS CHISHOLM  
Notary Public, State of Ohio  
My Commission Expires April 13, 2005