

## SUBORDINATION AGREEMENT

KNOW ALL MEN BY THESE PRESENTS THAT:

SOUTH TRUST BANK, as present legal holder and owner of that certain Mortgage between HERBERT M. and SUSAN S. HURST, a husband and wife, as Mortgagor(s) to SOUTH TRUST BANK, in the amount of THIRTY THREE THOUSAND DOLLARS (\$33,000.00), and dated NOVEMBER 1, 2000, and recorded \_\_\_\_\_, \_\_\_\_\_, as Inst. No. 2000-43197, and is described as follows: 20030106000009840

Lot 1, Block 2, according to the Survey of Dearing Downs, Second Addition, as recorded in Map Book 9 page 33 in the Office of the Judge of Probate of Shelby County, Alabama; being situated in Shelby County, Alabama.

For a valuable consideration, the receipt of which is hereby acknowledged, has and by these presents does **WAIVE THE PRIORITY OF THE LIEN** of the said mortgage insofar as the following described mortgage is concerned, but not otherwise:

That certain Mortgage dated on or about DECEMBER 13, 2002, by HERBERT MARK and SUSAN S. HURST, a husband and wife, as Mortgagor(s) to STATE FARM BANK, F.S.B., **ITS SUCCESSORS AND/OR ASSIGNS**, as Mortgagee, securing payment of a note in an amount not to exceed SEVENTY EIGHT THOUSAND, THREE HUNDRED FIFTEEN DOLLARS (\$78,315.00). The undersigned SOUTH TRUST BANK, hereby consenting that the lien of the mortgage first above described be taken second and inferior to mortgage last above described.

WITNESS my hand and seal this 10 day of December, 2002

SOUTH TRUST BANK

Stephen A. Pierce  
NAME: Stephen A. Pierce  
TITLE: AUP

ATTEST:

\_\_\_\_\_  
NAME:  
TITLE:

\_\_\_\_\_  
NAME:  
TITLE:

STATE OF Alabama  
COUNTY OF Jefferson

The foregoing instrument was acknowledged before me this 10 day of Dec. 2002, by Stephen A. Pierce, AUP of SOUTH TRUST BANK, a \_\_\_\_\_ Corporation, on behalf of the Corporation.

Linda T. Meyer  
NOTARY PUBLIC

MY COMMISSION EXPIRES:

My Commission Expires June 17, 2003

This document has been prepared by: Charesia Wade, State Farm Home Loans  
7500 West Jefferson Boulevard, Fort Wayne, IN 46804 - **Loan #2117984**  
subagree.doc

CLAYTON T. SWEENEY, ATTORNEY AT LAW