

SUBORDINATION AGREEMENT

20040506000239410 Pg 1/2 14.00
Shelby Cnty Judge of Probate, AL
05/06/2004 13:07:00 FILED/CERTIFIED

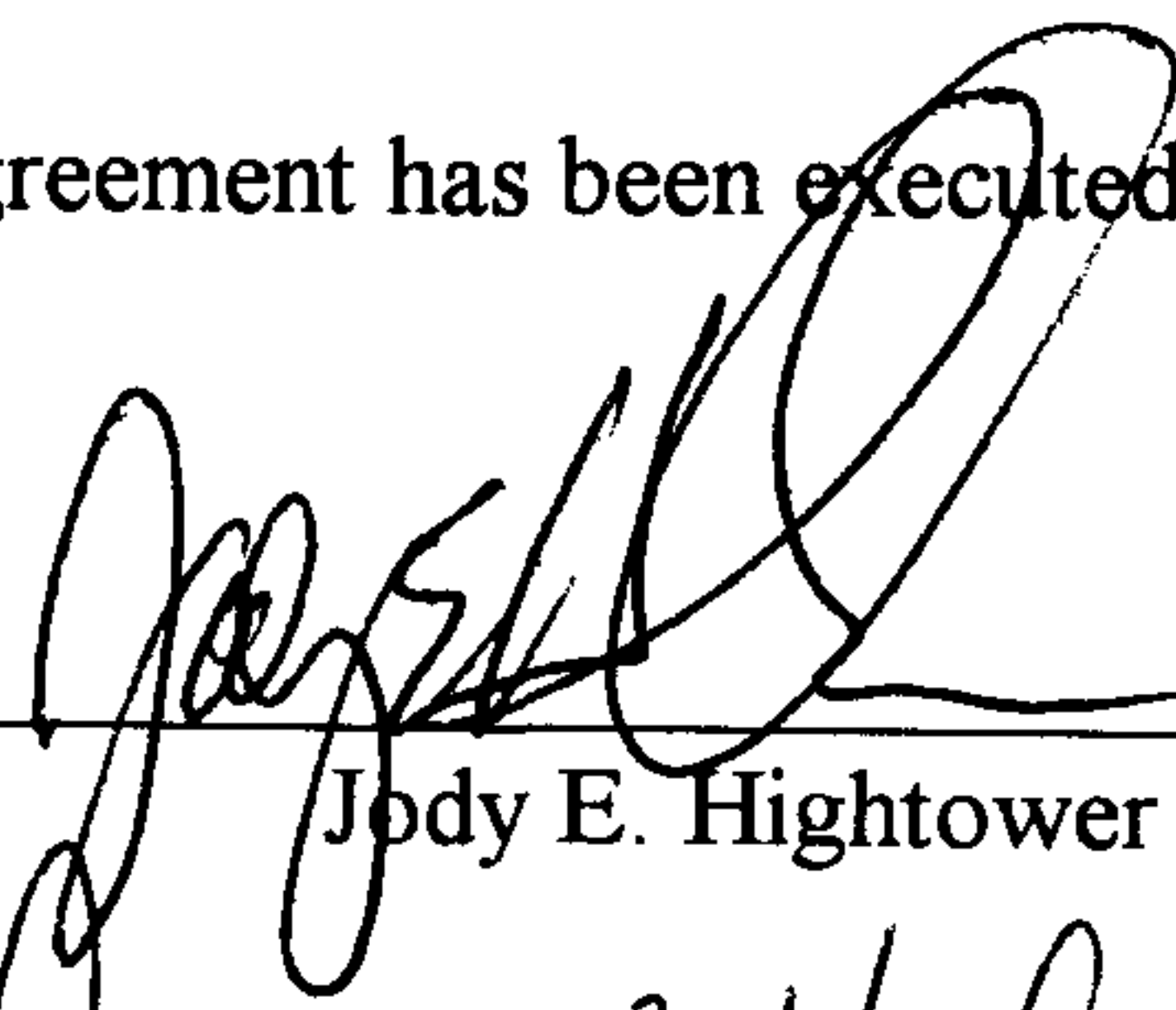
Pursuant to the terms of the mortgage entered into by and between Jody E. Hightower and Diona G. Hightower to National Bank of Commerce of Birmingham on March 11, 2003 and recorded in Instrument # 20030606000352660 in the Probate Office of Shelby County, Alabama.

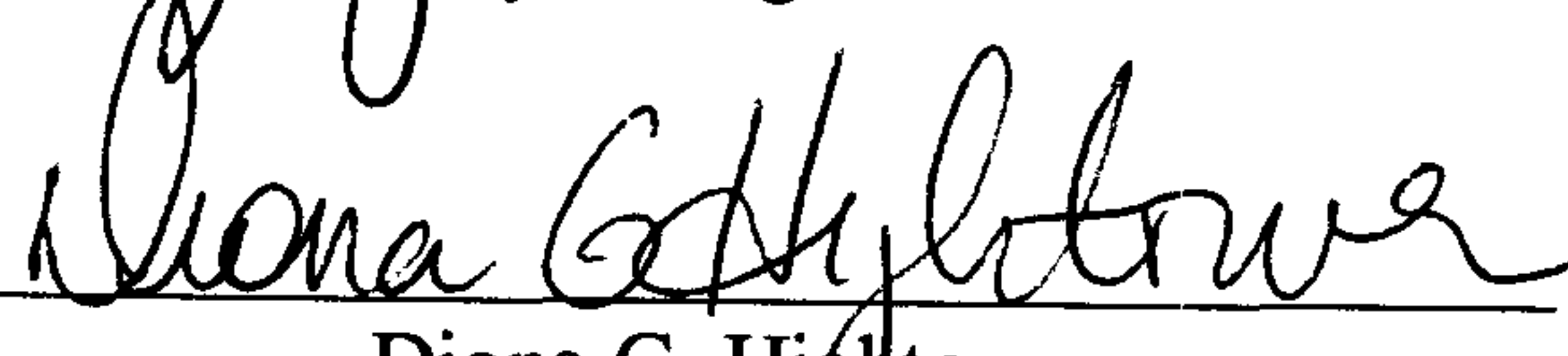
National Bank of Commerce of Birmingham does declare the lien of its mortgage dated March 11, 2003 and recorded in Instrument # 20030606000352660 in the Probate Office of Shelby County, Alabama to be second and subordinate to the lien of mortgage given by National Bank of Commerce of Birmingham in the amount of Three Hundred Five Thousand Dollars and no/100—(\$305,000.00) executed on April 16, 2004 and recorded in the Probate Office of Shelby County, Alabama.

Both mortgages are encumbering certain real property described as:

LOT 413, ACCORDING TO THE SURVEY OF GREYSTONE LEGACY, 4TH SECTOR, AS RECORDED IN MAP BOOK 28, PAGE 41, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

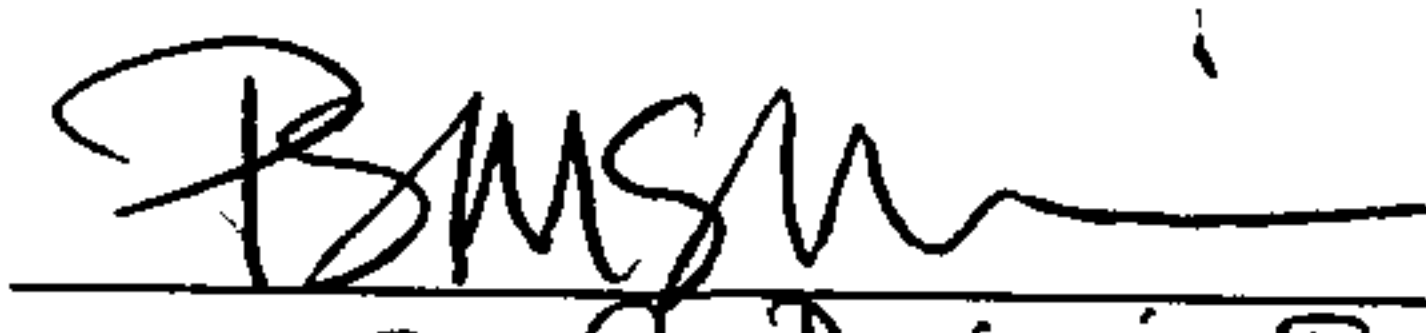
IN WITNESS WHEREOF, this Subordination Agreement has been executed on this 16th of April, 2004.



Jody E. Hightower


Diona G. Hightower

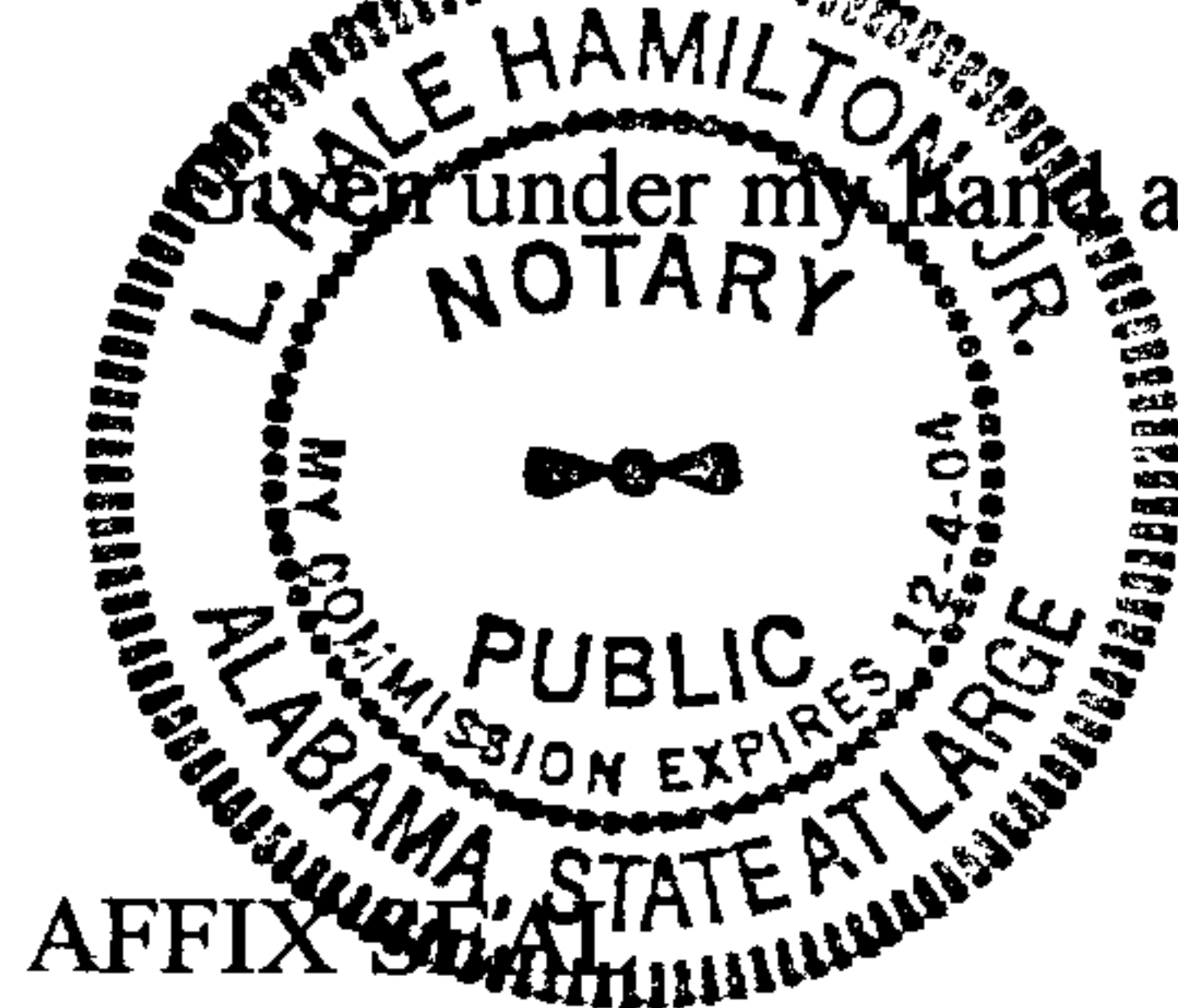
NATIONAL BANK OF COMMERCE
OF BIRMINGHAM

BY: 
Its: SUP Detail Banking

Hamilton

STATE OF ALABAMA)
Jefferson COUNTY)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Jody E. Hightower & Diona G. Hightower whose name 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 said instrument, he executed the same voluntarily on the date the same bears date.



Given under my hand and official seal of office this 16th day of April, 2004.

[Signature]
Notary Public

My Commission Expires: 12/4/04

STATE OF ALABAMA)
COUNTY OF Jeff)

I, the undersigned, a Notary Public, in and for said county in said state hereby certify that P. Shane McMin whose name as SVP Retail Banking of National Bank of Commerce of Birmingham is signed to the foregoing Agreement and who is known to me acknowledged before me that being informed of the contents of the above and foregoing Agreement he or she, is his/her capacity as such officer executed the same for and as the act of said corporation.

Given under my hand and official seal of office this the 16th day of April, 2004.

[Signature]
Notary Public

AFFIX SEAL

My Commission Expires: _____

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Dec 19, 2004
BONDED THRU NOTARY PUBLIC UNDERWRITERS