

SUBORDINATION AGREEMENT

THIS AGREEMENT is made this October 01, 2008, between Michael L. Flack and wife, Gina B. Flack of Shelby County, Alabama, and APCO Employees Credit Union of Birmingham, Alabama.

Property Description

WHEREAS, Michael L. Flack and wife, Gina B. Flack own all right, title and interest in real property described as follows:

LOT 28, ACCORDING TO THE SURVEY OF WILLOWBROOK, AS RECORDED IN MAP BOOK 11, PAGE 48 A&B, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

SITUATED IN SHELBY COUNTY, ALABAMA

Senior Lien

AND WHEREAS, APCO Employees Credit Union is the holder of a lien for \$100,000.00 on said property by virtue of that certain Mortgage Deed from Michael L. Flack and wife, Gina B. Flack to APCO Employees Credit Union, filed for record July 26, 2005 in Instrument No. 20050726000373180, in the Probate Office of Shelby County, Alabama, which said lien is presently secured upon the said Premises, giving certain rights to APCO Employees Credit Union.

Subsequent Mortgage

AND WHEREAS, a Mortgage was given by the said Michael L. Flack and wife, Gina B. Flack to APCO Employees Credit Union for \$135,000.00, dated October 01, 2008 and intended to be forthwith recorded as aforesaid, which said Mortgage is secured on the Premises hereinabove described;

Intent to Subordinate

AND WHEREAS, it is the desire and intention of the parties hereto to subordinate the lien and operation of the lien first above-recited, for the full balance thereof, to the lien and operation of the Mortgage second above-recited, so that the said Mortgage second above-recited shall and will become a lien upon the said Premises and the lien first above-recited shall be subordinated thereto in every manner whatsoever ;

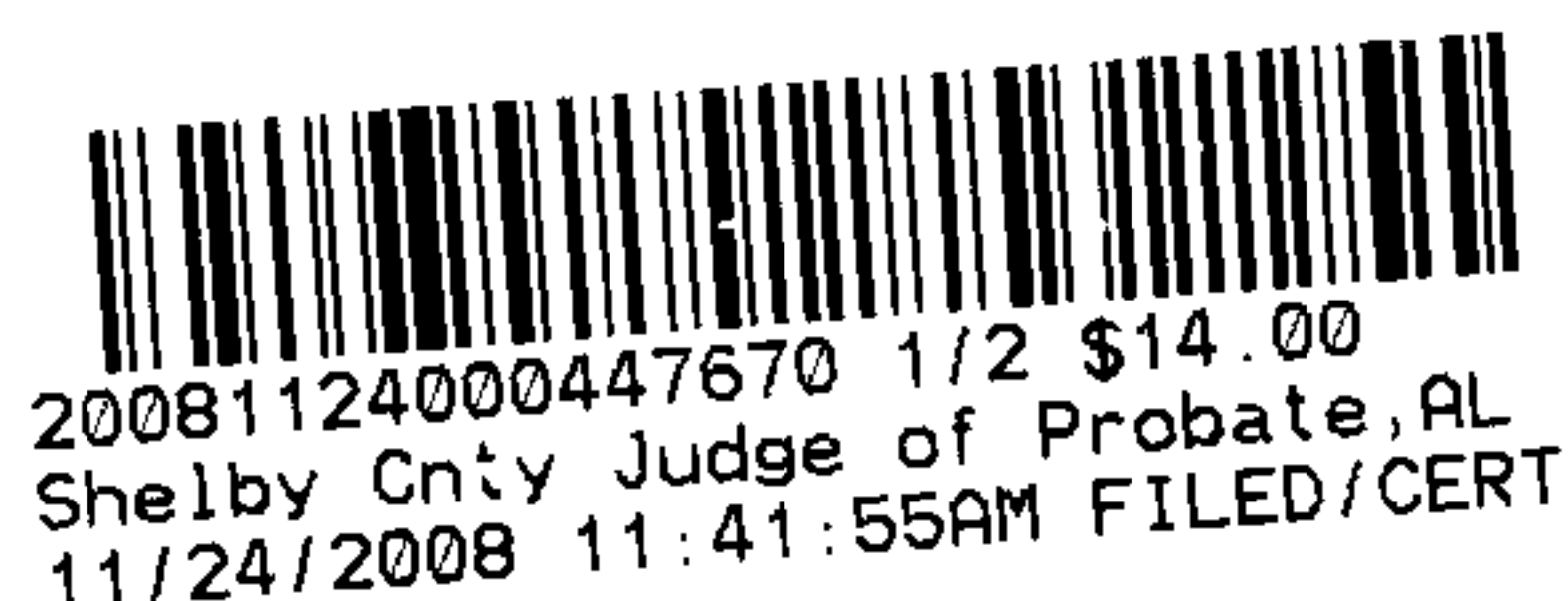
Consideration and Subordination

NOW WITNESS: That the parties hereto, intending to be legally bound hereby, in consideration of the Premises and of the advantages to be derived from these presents, as well in consideration of the sum of \$10.00 lawful money of the United States of America, each to the other well and truly paid at and before the sealing and delivery of these presents, receipt whereof is hereby acknowledged, agree that the said lien first above recited, secured upon the Premises as therein described shall be, and the same is by these presents, made junior in lien and subordinated to the lien and operation of the said Mortgage second above-recited to be given and executed by Michael L. Flack and wife, Gina B. Flack to APCO Employees Credit Union as aforesaid, secured upon the Premises herein described.

Default

In the event of default under any of the terms or conditions of the said subordinated lien, resulting in foreclosure proceedings thereon, or on the accompanying note, such proceedings shall be especially advertised as being under and subject to the lien and payment of the said Mortgage given and executed by Michael L. Flack and wife, Gina B. Flack to APCO Employees Credit Union ON October 01, 2008, in the principal sum of 135000.

THIS AGREEMENT shall be binding upon the parties hereto, their heirs, successors, and assigns.



IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed on October 01, 2008.

WITNESS

SENIOR LIENHOLDER  
APCO Employees Credit Union

By: Jim Prentice  
Loan Manager

WITNESS

SUBSEQUENT MORTGAGEE  
APCO Employees Credit Union

By: Jim Prentice  
Loan Manager

WITNESS

MORTGAGORS

Michael L. Flack  
Michael L. Flack

Gina B. Flack  
Gina B. Flack

#### ACKNOWLEDGEMENTS

STATE OF Alabama  
COUNTY OF Jefferson

I, the undersigned Notary Public, hereby certify that Jim Prentice, whose name as Loan Manager of APCO Employees Credit Union, 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 foregoing conveyance, he/she, as such officer and with full authority, executed the same voluntarily on the date the same bears date.

Given under my hand this 1<sup>st</sup> day of October, 2008

Jim Prentice  
Notary Public

My commission expires: 3-27-2010

STATE OF ALABAMA  
COUNTY OF Jefferson

I, the undersigned Notary Public, hereby certify that Jim Prentice whose name as Loan Manager of the APCO Employees Credit Union, a credit union, 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 foregoing conveyance, he/she, as such officer and with full authority, executed the same voluntarily on the date the same bears date.

Given under my hand this 1<sup>st</sup> day of October, 2008

Jim Prentice  
Notary Public

My commission expires: 3-27-2010

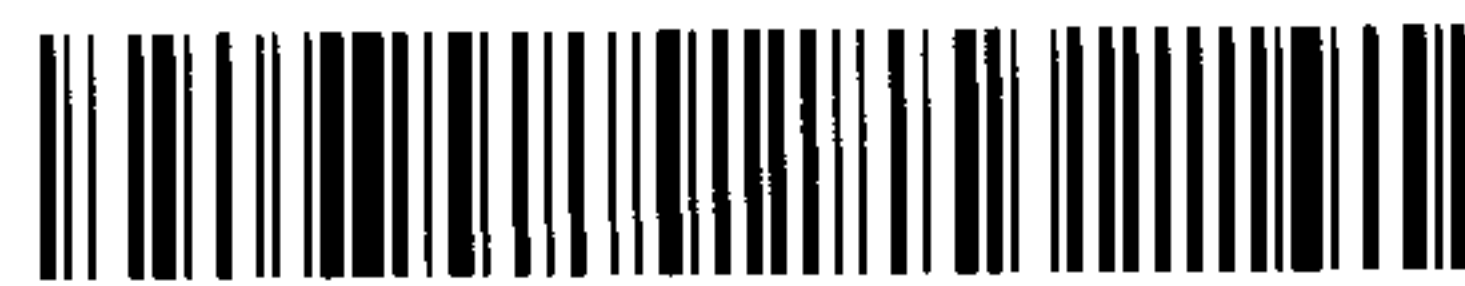
STATE OF ALABAMA  
COUNTY OF Jefferson

I, the undersigned Notary Public, hereby certify that Michael L. Flack and wife, Gina B. Flack, whose name is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the foregoing conveyance, he/she/they has/have executed the same voluntarily on the date the same bears date.

Given under my hand on October 01, 2008.

Jim D. Hahn  
Notary Public

My commission expires: 3/24/2010



20081124000447670 2/2 \$14.00  
Shelby Cnty Judge of Probate, AL  
11/24/2008 11:41:55AM FILED/CERT