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SUBORDINATION AGREEMENT

STATE OF ALABAMA
COUNTY OF SHELBY

THAT, WHEREAS, EDGAR M. ELLIOTT, IV AND SPOUSE ELIZABETH H. BURG, have an outstanding lien in favor of SERVISFIRST BANK, recorded on the 12TH day of DECEMBER, 2005 in the Probate Office of SHELBY, in INST. #20051212000641290, securing an indebtedness of \$130,000.00, and said lien is in full force and effect, and,

WHEREAS, EDGAR M. ELLIOTT, IV AND SPOUSE, ELIZABETH H. BURG have made an application to HENGER RAST MORTGAGE CORPORATION for a loan in the sum of \$163,500.00 and said HENGER RAST MORTGAGE CORPORATION is willing to make said loan to the said EDGAR M. ELLIOTT, IV AND SPOUSE, ELIZABETH H. BURG, provided they furnish it with a mortgage on the lands described in the aforesaid lien, and the said SERVISFIRST BANK subordinate the above described lien and make the same second and subservient to the mortgage to HENGER RAST MORTGAGE CORPORATION, as recorded in INST. # 20090619000237678

WHEREAS, the said SERVISFIRST BANK is willing to subordinate its said lien and make the lien second and subservient to the mortgage of the said to HENGER RAST MORTGAGE CORPORATION as an inducement to it to make said loan.

IT IS FURTHER agreed that should default in the payments under the terms of the real estate mortgage to SERVISFIRST BANK, the said Lender agrees to notify to HENGER RAST MORTGAGE CORPORATION of said default prior to taking legal action.

IN WITNESS WHEREOF, the said SERVISFIRST BANK has caused its name to be hereunto signed on the 2 day of June, 2009.

SERVISFIRST BANK

BY: [Signature]

ITS: V.P.

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Ron Morrison, whose name as Vice President of SERVISFIRST BANK, a corporation, is signed to the foregoing instrument, and who known to me, acknowledged before me on this day, that, being informed of the contents of the said instrument, she/he executed the same voluntarily for and as the act of said corporation.

[Signature]
Notary Public

My Commission expires: _____

Prepared By:
STEWART & ASSOCIATES, P.C.
3595 GRANDVIEW PKWY, #645
BIRMINGHAM, ALABAMA 35243

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Nov 13, 2011
BONDED THRU NOTARY PUBLIC UNDERWRITERS



20090619000237680 1/1 \$11.00
Shelby Cnty Judge of Probate, AL
06/19/2009 02:12:21 PM FILED/CERT