

RECORDING REQUESTED BY: ServiceLink

WHEN RECORDED MAIL TO: BancorpSouth Bank 2211 Highland Avenue Birmingham, Al 35205

SUBORDINATION OF MORTGAGE

FROM BancorpSouth Bank, with its primary office address at 2211 Highland Avenue South Birmingham, AL 35205 (hereinafter called "Mortgagee")

TO, Wells Fargo Bank with its primary office address at 2701 WELLS FARGO WAY, MINNEAPOLIS, MN 55467-8000 (hereinafter called "Lender")

Whereas, Mortgagee is the holder of a valid mortgage granted to TIMOTHY C. COOKE AND MARY E. COOKE, AS JOINT TENANTS (hereinafter called "Owner") covering certain real property owned by Owner and located at 1221 PERTHSHIRE CT, BIRMINGHAM, AL 35242-6077, more fully described on Exhibit "A" hereto and incorporated herein (hereinafter called "Property") which mortgage secured a note dated March 20,2006 in favor of BancorpSouth Bank in the original principal sum of \$80,000.00 which recorded on April 5, 2006 in the SHELBY County Recorders Office, at 20060405000156950, (hereinafter the "prior mortgage"); and

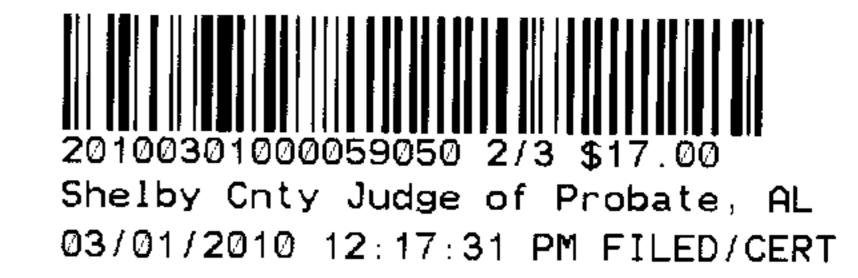
WHEREAS, Owner has executed, or is about to execute a mortgage (hereinafter referred to as "Lender's Security Instrument") and note not to exceed the sum of \$417,000.00, dated, in favor of Lender, payable with interest and upon the terms and conditions described therein, which Lender's Security Instrument is to be recorded concurrently herewith; and

Whereas, the MORTGAGEE has agreed to subordinate the PRIOR MORTGAGE to LENDER'S MORTGAGE.

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NOW, THEREFORE, INTENDING TO BE LEGALLY BOUND and in consideration of \$1.00

1. Subordination of Lien: The MORTGAGEE hereby subordinates the PRIOR MORTGAGE and its lien position in and on the PROPERTY to the LENDER'S Mortgage and the lien thereof, as if the LENDER'S Mortgage has been recorded first in time to the PRIOR MORTGAGE and so that all public records will reflect LENDER'S Mortgage superior in lien to the PRIOR MORTGAGE.



successors and assigns of MORTGAGE and LENDER.
WITNESS this the 26 day of January, 2010
ATTEST: BancorpSouth Bank Name of Corporation Darryl Bell Print Name Vice President
Title
STATE OF <u>Alabama</u>
COUNTY OFJefferson
On this the26_ day ofJanuary
IN WITNESS WHEREOF, I hereunto set my hand and official seal. Conthia Knitchett NOTARY PUBLIC
My Commission expires: 1) \ ack. 14, 2011
Cynthia K. Mirchell No. Alabama Lange My Commission Expires March 16, 201

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2. This subordination shall be binding upon and insure to the benefit of the respective heirs,

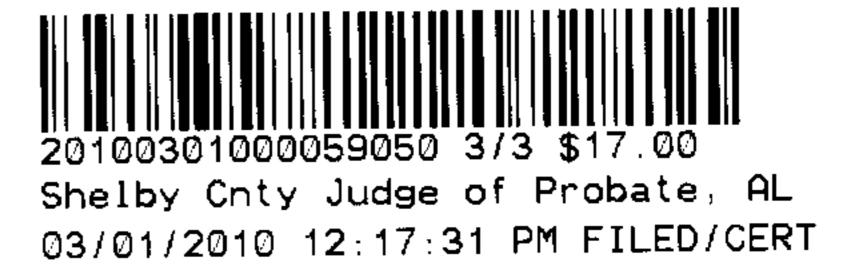


Exhibit "A" Legal Description

ALL THAT PARCEL OF LAND IN CITY OF BIRMINGHAM, SHELBY COUNTY, STATE OF ALABAMA, BEING KNOWN AND DESIGNATED AS:

LOT 849, ACCORDING TO THE SURVEY OF GREYSTONE LEGACY, 8TH SECTOR, PHASE II, AS RECORDED IN MAP BOOK 31, PAGE 54 A, B & C, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

BY FEE SIMPLE DEED FROM CORNERSTONE BUILDING COMPANY, INC. AS SET FORTH IN INST 20040303000109960 DATED 02/23/2004 AND RECORDED 03/03/2004, SHELBY COUNTY RECORDS, STATE OF ALABAMA.

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Tax ID: 03-6-14-3-005-012.000

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