

20120824000318060 1/2 \$15.00  
Shelby Cnty Judge of Probate, AL  
08/24/2012 11:13:16 AM FILED/CERT

## SUBORDINATION AGREEMENT

12WR16552

This Subordination Agreement, made June 26, 2012 between WELLS FARGO PRIVATE HOME MORTGAGE, its successors and/or assigns ("Requestor"), and Mutual Savings Credit Union ("Lender")

Witnesseth:

Whereas, the Lender now owns and holds the following mortgages and the Bond or Note secured thereby Mortgage Dated: February 12, 2007 made by: **JAMES KYLE MANLEY, A SINGLE PERSON AND MEGAN E. DANIEL, A SINGLE PERSON** to MUTUAL SAVINGS CREDIT UNION, in the principal sum of **\$21,885.00** and recorded February 19, 2007 in INST# 20070219000074270 in the Office of the SHELBY County Judge of Probate, SHELBY County, Alabama covering legal description:

Unit 1112, in Horizon, a Condominium, as established by that certain Declaration of Condominium of Horizon, a Condominium, which is recorded in Instrument #2001-40927, to which Declaration of Condominium a plan is attached as Exhibit "A" thereto, said Plan being filed for record in Map Book 28, Page 141, in the Probate Office of Shelby County, Alabama, and to which said Declaration of Condominium the By-Laws of The Horizon Condominium Association, Inc. is attached as Exhibit "D", together with an undivided interest in the Common Elements assigned to said Unit, as shown in Exhibit "C" of said Declaration of Condominium of Horizon, a Condominium.

And, whereas, Borrowers have requested that Credit Union subordinate the herein referenced Mortgage to a subsequent Mortgagee;

with a property address of: **1112 MORNING SUN DRIVE, BIRMINGHAM, AL 35242** particularly described therein ("The Premises") and,

Whereas, the Borrowers mentioned executed and delivered to REQUESTER a mortgage to secure a principal sum **NOT** to exceed **\$111,500.00** dollars and interest, covering the Premises and

Whereas, REQUESTER accepted said mortgage believing the mortgages held by Mutual Savings Credit Union would be subordinated in the Manner hereinafter mentioned;


Now therefore, in consideration of \$1.00 and other good and valuable consideration paid to Mutual Savings Credit Union receipt of which is hereby acknowledge, the Lender hereby covenants and agrees with REQUESTER that said mortgages held by Mutual Savings Credit Union shall be subject and subordinate in lien to the lien of a Mortgage NOT to exceed **\$111,500.00\*** dollars and the interest thereon delivered to REQUESTER.

\* Recorded on 8/2/12 Doc # 201208020002817  
**IF FIRST MORTGAGE EXCEEDS \$111,500.00 THIS SUBORDINATION AGREEMENT IS NULL AND VOID.**

This agreement may not be changed or terminated orally. This Agreement shall bind and endure to the benefit of the parties hereto, their respective heirs, representatives, successors and assigns.

The Lender has duly executed this Agreement on June 26, 2012

MUTUAL SAVINGS CREDIT UNION

  
JEFF GRAHAM, VP OF LENDING SERVICE

STATE OF ALABAMA  
JEFFERSON COUNTY

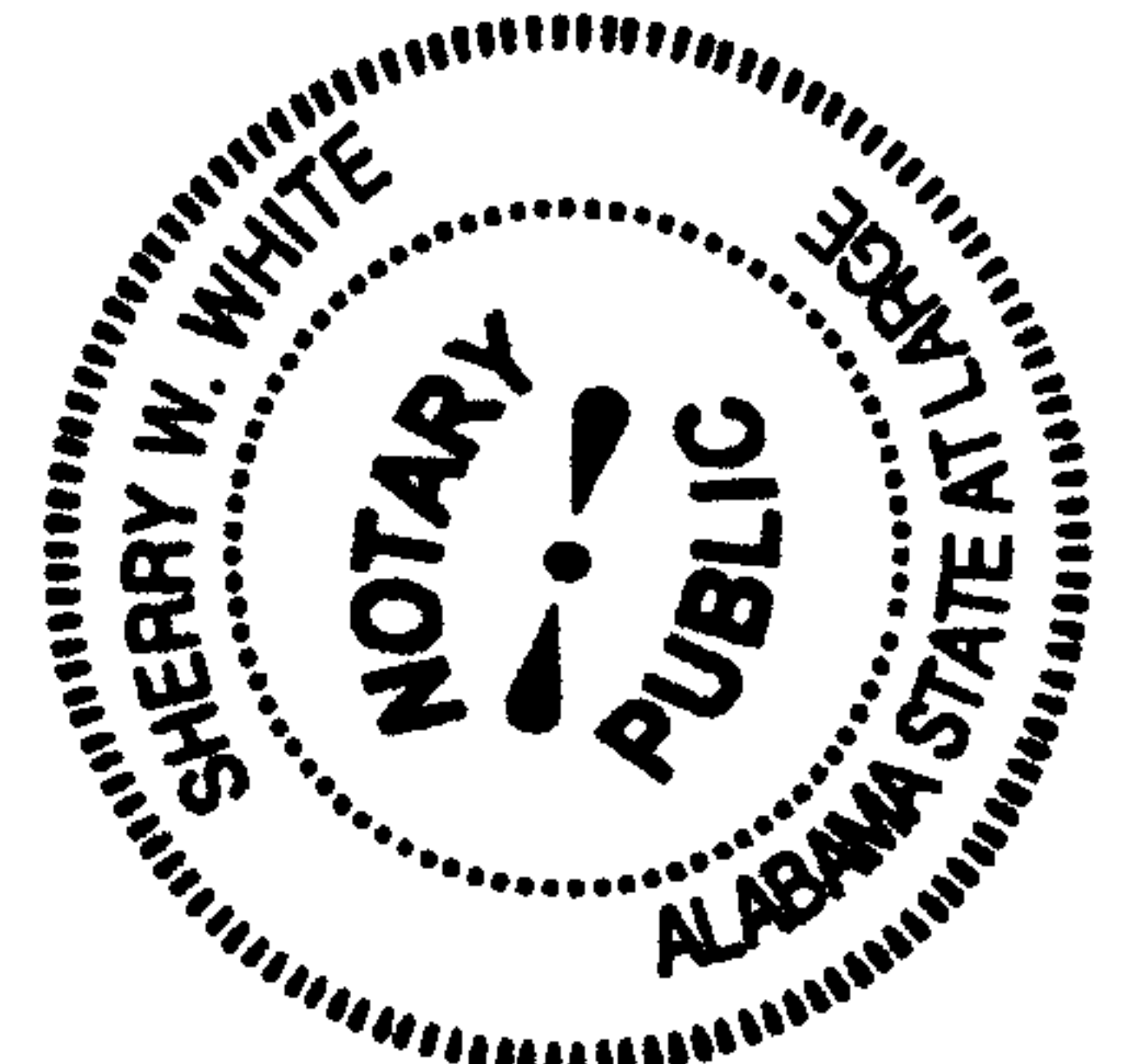
I, the undersigned, a Notary Public in and for said county, in said State, hereby certify that, Jeff Graham, whose name as VP of Lending Services of Mutual Savings Credit Union, a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, on June 26, 2012.

RETURN TO:  
WORLDWIDE RECORDING, INC.  
9801 LEGLER RD  
LENEXA, KS 66219

  
Notary Public My Commission Expires: 2-29-16  
Sherry W. White

THIS INSTRUMENT WAS PREPARED BY: SHERRY WHITE  
MUTUAL SAVINGS CREDIT UNION - P.O. BOX 362045 - HOOVER, AL 35236-2045



**LEGAL DESCRIPTION**  
**(Exhibit A)**

12NL24132


THE FOLLOWING DESCRIBED REAL ESTATE, SITUATED IN SHELBY COUNTY, ALABAMA, TO-WIT:

UNIT 1112, IN HORIZON, A CONDOMINIUM, AS ESTABLISHED BY THAT CERTAIN DECLARATION OF CONDOMINIUM OF HORIZON, A CONDOMINIUM, WHICH IS RECORDED IN INSTRUMENT #2001-40927, TO WHICH DECLARATION OF CONDOMINIUM A PLAN IS ATTACHED AS EXHIBIT "A" THERETO, SAID PLAN BEING FILED FOR RECORD IN MAP BOOK 28, PAGE 141, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, AND TO WHICH SAID DECLARATION OF CONDOMINIUM THE BY-LAWS OF THE HORIZON CONDOMINIUM ASSOCIATION, INC. IS ATTACHED AS EXHIBIT "D", TOGETHER WITH AN UNDIVIDED INTEREST IN THE COMMON ELEMENTS ASSIGNED TO SAID UNIT, AS SHOWN IN EXHIBIT "C" OF SAID DECLARATION OF CONDOMINIUM OF HORIZON, A CONDOMINIUM.

BEING THE SAME PREMISES AS CONVEYED IN DEED FROM LORETTA R. GOULD, UNMARRIED RECORDED 02/19/2007 IN DOCUMENT NUMBER 20070219000074250 IN SAID COUNTY AND STATE.

COMMONLY KNOWN AS: 1112 MORNING SUN, BIRMINGHAM AL 35242

Tax Id: 10 1 01 0 991 114.000

  
20120824000318060 2/2 \$15.00  
Shelby Cnty Judge of Probate, AL  
08/24/2012 11:13:16 AM FILED/CERT