

## **SUBORDINATION AGREEMENT OF MORTGAGE**

THIS Agreement is made on this 3<sup>rd</sup> day of October 2012, by Bank of America, N.A. whose address is 4161 Piedmont Parkway, Greensboro, NC 27410.

WITNESSETH:

WHEREAS, DAVID E. THOMAS JR., AND FALECIA H. THOMAS, HUSBAND AND WIFE, is the mortgagor(s), and SOUTHSTAR FUNDING, LLC., is the mortgagee under a certain mortgage in the amount of \$42,550.00, which is dated 03/01/2004 and was recorded 03/05/2004 in Liber N.A., Page N.A., Instrument No. 2004-305000115970, now assigned to BANK OF AMERICA, N.A., which is dated 05/31/2012 and was recorded on 06/11/2012 in Liber N.A., Page N.A., Instrument Number 2012-0611000205760, SHELBY County Records, which encumbers the following described property (the "property") located in the City of CHELSEA, County of SHELBY, State of ALABAMA, to-wit and described as follows:

**SEE ATTACHED EXHIBIT "A"**

**More commonly known as: 308 HONEYBUCKLE LN, CHELSEA, AL 35043**  
**Parcel ID #: 15-3-05-2-003-018.00**

And

WHEREAS, DAVID E. THOMAS JR. AND FALECIA H. THOMAS, HUSBAND AND WIFE, is the mortgagor(s), and BANK OF AMERICA, N.A., is the mortgagee under a certain mortgage in the amount of \$168,475.00, which is dated 07/25/2011 and was recorded 08/24/2011 in Liber N.A., Page N.A., Instrument No. 2011-0824000250320, SHELBY County Records.

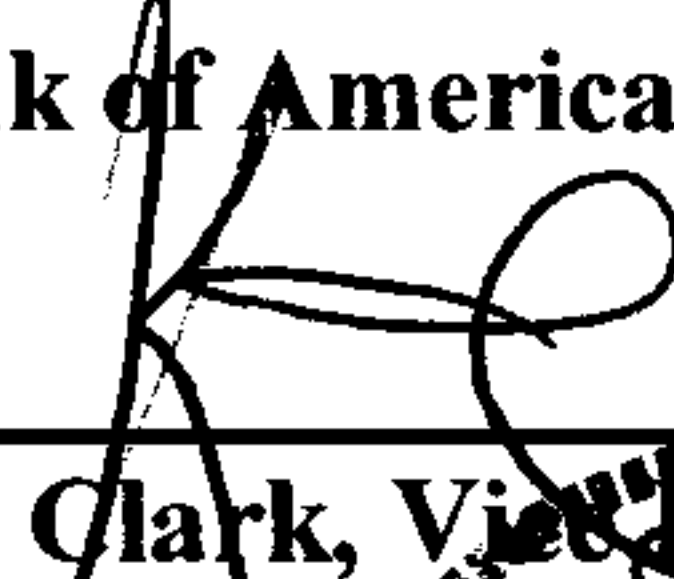


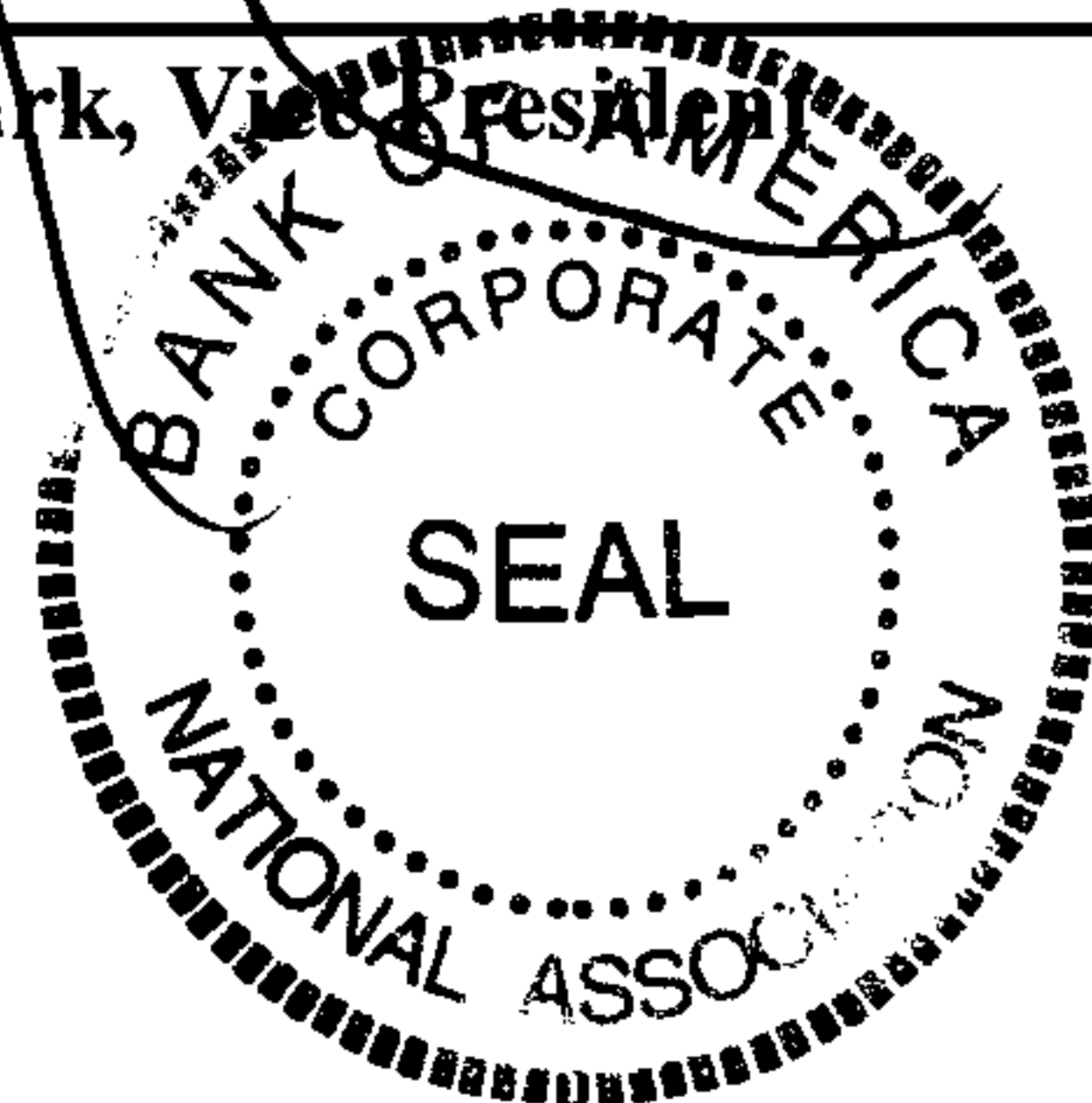
20130131000042540 2/3 \$18.00  
Shelby Cnty Judge of Probate, AL  
01/31/2013 02:57:05 PM FILED/CERT

WHEREAS, it is the intent of the undersigned that SOUTHSTAR FUNDING, LLC., as holder of the mortgage recorded in Liber N.A., Page N.A., Instrument No. 2004-0305000115970, now assigned to BANK OF AMERICA, N.A., which is dated 05/31/2012 and was recorded on 06/11/2012 in Liber N.A., Page N.A., Instrument No. 2012-0611000205760 states that such mortgage is a junior mortgage which is hereby subordinated to the mortgage to BANK OF AMERICA, N.A. and recorded in Liber N.A., Page N.A., Instrument No. 2011-0824000250320.

  
Witness – Cristie Wiley

  
Witness – Anna Wilkinson

Bank of America, N.A.  
By:   
Kathy Clark, Vice President

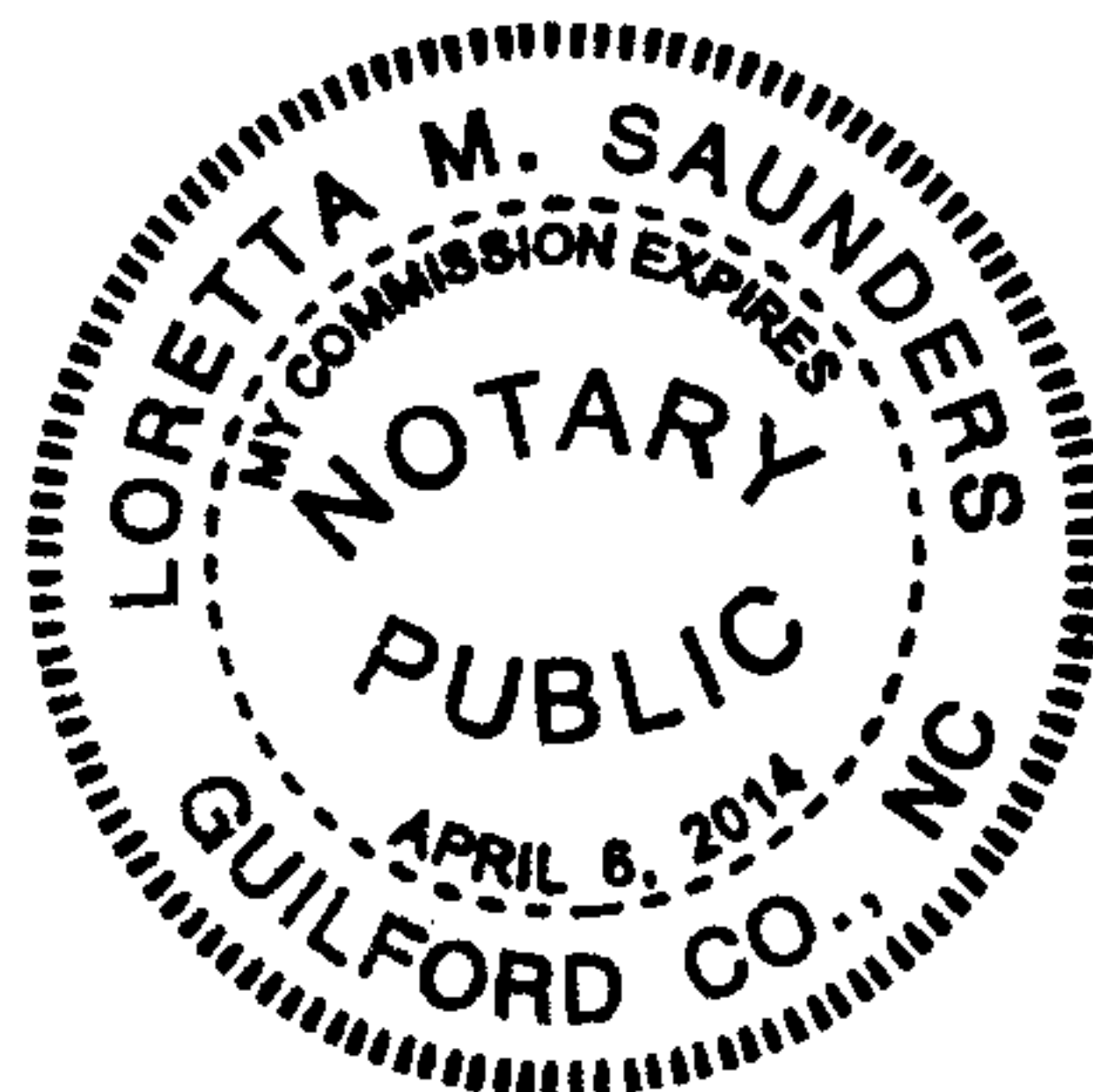


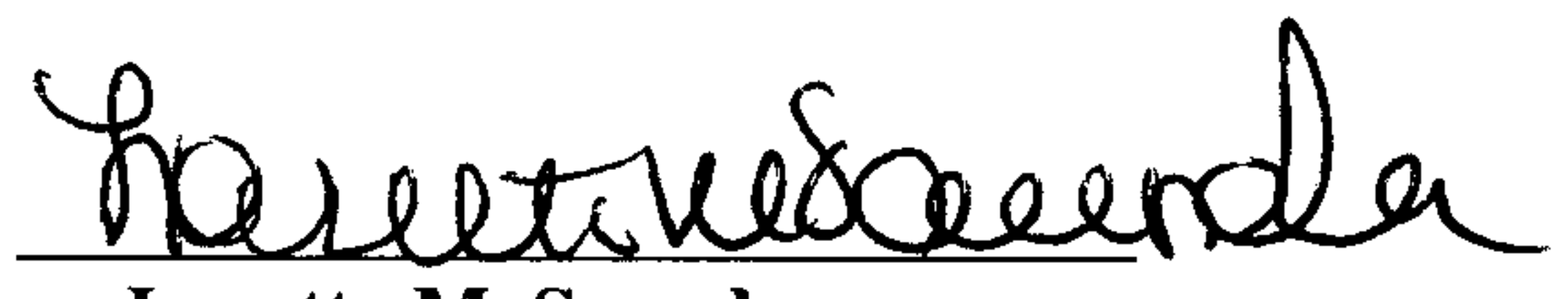
STATE OF North Carolina }

} SS

COUNTY OF Guilford }

The foregoing instrument was acknowledged before me on this 3rd day of October 2012, before me personally appeared the above-named Kathy Clark, Vice President of Bank of America, N.A.



Notary Public,   
Loretta M. Saunders

Commission Expires: 04/06/2014  
Acting in Guilford County


Prepared by and return to:  
Bank of America – Zena Hill  
4161 Piedmont Pkwy  
Greensboro, NC 27410  
43579xxx


**Exhibit "A"**  
**Legal Description**

ALL THAT PARCEL OF LAND IN CITY OF CHELSEA, SHELBY COUNTY, STATE OF ALABAMA, BEING KNOWN AND DESIGNATED AS LOT 18, ACCORDING TO THE MAP AND SURVEY OF WINDSTONE III, AS RECORDED IN MAP BOOK 26, PAGE 60, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

BEING THE SAME PROPERTY AS CONVEYED TO DAVID E. THOMAS, JR. AND FALECIA H. THOMAS, AS JOINT TENANTS BY FEE SIMPLE DEED FROM FRANK J. NANIA AND SUSAN NANIA, HUSBAND AND WIFE AS SET FORTH IN INST # 20040305000115950 DATED 02/24/2004 AND RECORDED 03/05/2004, SHELBY COUNTY RECORDS, STATE OF ALABAMA.

Tax/Parcel ID: 15-3-05-2-003-018.000

  
20130131000042540 3/3 \$18.00  
Shelby Cnty Judge of Probate, AL  
01/31/2013 02:57:05 PM FILED/CERT

  
20110824000250320 9/9 \$288.75  
Shelby Cnty Judge of Probate, AL  
08/24/2011 03:29:53 PM FILED/CERT