

3345
MORTGAGE SUBORDINATION

STATE OF ALABAMA)
)
SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS, That;

WHEREAS, on the 6 day of May, 19⁶¹~~62~~, Edward J.

Kappel and wife Marion Kappel, and Howard Kappel a single man

executed a mortgage (or deed of trust) to

First National Bank of Columbiana, Alabama

to secure payment of indebtedness therein described which mortgage is dated 6, May, 19 61,

and is recorded in the office of the Judge of Probate of Shelby County, Alabama in Mortgage

Book 271 at Page 678, covering among others, those certain lands situated in said county and

described in said mortgage as follows: Southeast Quarter of the Northeast Quarter
or Section 20, Township 20 South, Range 2 West, Shelby County, Alabama.

WHEREAS, by Right of Way Easement dated June 1, 19 62, and recorded in the office of the Judge of Probate of said county in Book 220, at page 932, there was granted by Edward J. Kappel & wife Marion Kappel, Howard Kappel to COLONIAL PIPELINE COMPANY, a Delaware corporation, the right to lay, maintain, operate and remove a pipe line or pipe lines over and across the lands above described as provided in said instrument.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable considerations, receipt of which is hereby acknowledged, the undersigned, who is now the owner of said mortgage and the indebtedness secured thereby, does hereby consent to the granting of said Right of Way Easement, and does hereby consent and agree that said mortgage, the lien of said mortgage, and the mortgagee's right, title and interest in and to the lands hereinabove specifically described, is and shall be subject and subordinate to the right of way and easement granted by, and the rights and privileges, conferred upon COLONIAL PIPELINE COMPANY, its successors and assigns, by the said Right of Way Easement, and does hereby release, quitclaim and convey to COLONIAL PIPELINE COMPANY, its successors and assigns, all of its right, title and interest in and to the right of way, easements, rights and privileges granted in the said Right of Way Easement, and agrees that, in the event of foreclosure of said mortgage in any manner, the foreclosure, and any sale in connection therewith (including, without limitation, deed or deeds in lieu of foreclosure) shall be made, and shall be subject to, such right of way, easement, rights and privileges. Except with respect to the express subordination to said right of way and easement contained herein the said mortgage, and the indebtedness secured thereby, shall remain in full force and effect.

BOOK 224 PAGE 916

INDIVIDUAL

IN WITNESS WHEREOF, the undersigned (has) have hereunto set (his, her) their hand(s) and seal(s), this _____ day of _____, 196__.

Witnesses:

(L.S.)

(L.S.)

CORPORATION

IN WITNESS WHEREOF, the undersigned corporation has caused this instrument to be executed in its corporate name and behalf and its corporate seal to be hereunto affixed and attested, all by its proper corporate officers who are thereunto duly authorized on March 5, 1963.

Attest:

Its Assistant Cashier

(Corporate Seal)

First National Bank of Columbiana

By

Its

Cashier

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 10 AM
4-4-1963
RECORDED & \$.....MTG. TAX
& \$.....DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

ACKNOWLEDGMENT FOR INDIVIDUAL

THE STATE OF ALABAMA)
)
_____ COUNTY)

James M. Joubert
JUDGE OF PROBATE

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that

whose name(s) 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 conveyance, he (they) executed the same voluntarily on the day the same bears date.

Given under my hand and seal of office this _____ day of _____, 19__.

Notary Public

ACKNOWLEDGMENT FOR CORPORATION

THE STATE OF ALABAMA)
)
Shelby COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that
B. J. Nolen

whose name as Cashier
of the First National Bank of Columbiana
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 conveyance, 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 seal of office this 5 day of March, 19 63.

Edwena R. Higgins
Notary Public

1.50
David Brown