

STATE OF ALABAMA )  
 )  
 SHELBY COUNTY )

19800409000041820 1/3 \$.00  
 Shelby Cnty Judge of Probate, AL  
 04/09/1980 12:00:00 AM FILED/CERT

SUBORDINATION OF LIEN

The undersigned Albert G. Smith Contractors, Inc., a corporation (hereinafter called the "Contractor") has heretofore furnished, and will hereafter furnish, materials, equipment and fixtures and has heretofore performed work and labor, and will hereafter perform work and labor, in connection with the construction of a building and other improvements located or to be constructed on the following described real estate (said building and improvements shall be hereinafter referred to as Improvements and said real estate shall hereinafter be referred to as Real Estate):

Part of the Northwest Quarter of Southwest Quarter of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows: From the Northwest corner of said quarter-quarter section run in an Easterly direction along the North line of said quarter-quarter section for a distance of 706.61 feet to the point of beginning, thence continue along last mentioned course for a distance of 475.76 feet, more or less to a point on the West right of way line of Alabama Highway 119, thence turn an angle to the right of 113 degrees 25 minutes 31 seconds and run in a Southwesterly direction along said right of way line for a distance of 150 feet, thence turn an angle to the right of 78 degrees 12 minutes 13 seconds and run in a Northeasterly direction for a distance of 424.85 feet, thence turn an angle to the right of 78 degrees 22 minutes 16 seconds and run in a Northerly direction for a distance of 52 feet, more or less to the point of beginning.

The Industrial Development Board of the City of Pelham, a public corporation (hereinafter called the "Board") is the owner of the Real Estate and the Improvements. Contractor has been advised that The First National Bank of Birmingham (hereinafter called Bank) has been requested to make a loan to the Board to finance the construction of the Improvements and that the Bank's requirements in connection with said loan include the requirement

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that said loan and any additional loans and advances made by the Bank to the Board be secured by a mortgage on the Real Estate (hereinafter called Mortgage) and the requirement that Contractor execute this instrument. In consideration of \$10.00 paid by the Bank to Contractor, the receipt and sufficiency of which are hereby acknowledged by Contractor, and to induce the Bank to make said loan to the Board, Contractor does hereby subordinate any and all liens, rights, title, interest and claims that Contractor has, or may hereafter have, on to, in or against the Real Estate and the Improvements (including, but not limited to, any and all liens, rights, title, interest and claims of Contractor arising out of or in connection with: (1) the work and labor heretofore or hereafter performed by Contractor in connection with the Improvements and/or the Real Estate; and (2) the materials, equipment and fixtures heretofore or hereafter furnished by Contractor in connection with the Improvements and/or the Real Estate) to all liens, rights, title, interest and claims that the Bank has, or may hereafter have, on, to, in or against the Real Estate and the Improvements arising out of, or in connection with, the Mortgage and all advances and debts secured by the Mortgage.

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IN WITNESS WHEREOF, the undersigned Albert G. Smith Contractors, Inc. has caused this instrument to be executed by its duly authorized corporate officer on this 1 day of APRIL, 1980.

ATTEST:

David J. Allen

ALBERT G. SMITH CONTRACTORS, INC.

By R. [Signature]

Its General Manager

STATE OF ALABAMA )  
 )  
JEFFERSON COUNTY )

I, the undersigned authority, in and for said County in said State, hereby certify that R. Phillip Joiner whose name as Gen. Mgr. of Albert G. Smith Contractors, Inc., 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 of the act of said corporation.

Given under my hand and official seal, this 1st day of April, 1980.

Linda M. Jackson  
Notary Public

My Commission Expires: 1-21-82

(NOTARIAL SEAL)



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STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1980 APR -9 AM 8:42

Thomas A. Snowden, Jr.  
JUDGE OF PROBATE

Rec. 4.50  
Ind. 1.00  
5.50

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