

THIS INSTRUMENT PREPARED BY:

ROBERT R. SEXTON, Attorney at Law
Barnett, Tingle, Noble & Sexton
1600 City Federal Building
Birmingham, AL 35203

STATE OF ALABAMA)

JEFFERSON COUNTY)

561
SUBORDINATION OF MORTGAGE

This Subordination of Mortgage executed this the 22nd day of October, 1986, by NATIONAL BANK OF COMMERCE OF BIRMINGHAM, (hereinafter referred to as "NBC").

W I T N E S S E T H:

WHEREAS, in or about the month of December 1985, NBC made a mortgage loan to R. Leon Hill and wife, Donna P. Hill, (hereinafter referred to as the "Hills"), said loan being evidenced by a note (hereinafter the "Note") executed by the Hills; and

WHEREAS, the Note was secured by a second mortgage executed by the Hills in favor of NBC on the following described real estate situated in Shelby County, Alabama, to-wit:

Lot 241 according to the Ninth Addition, Riverchase Country Club Residential Subdivision as recorded in Map Book 8, Page 46 A and B in the Office of the Judge of Probate of Shelby County, Alabama,

(hereinafter the "Real Estate"), said mortgage being duly recorded in said Probate Office in Book 055 at Page 605 (hereinafter the "NBC Mortgage"); and

WHEREAS, the Hills now desire to obtain a loan from AmSouth Mortgage Company, Inc., in the principal sum of \$89,000.00 which shall constitute a refinance of an existing first mortgage loan against the Real Estate, having heretofore been executed by the Hills in favor of AmSouth Bank, N.A., dated October 17, 1983, and filed for record in the Probate Office of Shelby County, Alabama, in Book 439 at Page 988; and

WHEREAS, AmSouth Mortgage Company, Inc., is desirous of extending credit to the Hills provided that AmSouth Mortgage Company, Inc., can obtain a valid first mortgage lien on the Real Estate; and

WHEREAS, in order to induce AmSouth Mortgage Company, Inc., to make the new first mortgage loan to the Hills, NBC is willing

to subordinate the lien of NBC Mortgage to the lien of AmSouth Mortgage Company, Inc.

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00), and other valuable consideration, the sufficiency of which is hereby acknowledged, the undersigned, NBC, does hereby covenant, stipulate, warrant and agree as follows:

1. NBC hereby subordinates the lien of its NBC Mortgage to that certain mortgage executed this day by the Hills in favor of AmSouth Mortgage Company, Inc., filed for record in said Probate Office in Real 99 at Page 176.

2. NBC hereby warrants and represents that it is the sole, legal and equitable owner as payee of the Note which is secured by the NBC Mortgage and NBC has full power and authority to subordinate its NBC Mortgage to the lien of the mortgage in favor of AmSouth Mortgage Company, Inc., executed this day by the Hills against the Real Estate described above.

IN WITNESS WHEREOF, NBC has caused this instrument to be executed by its Vice-President on the day and date first above written.

NATIONAL BANK OF COMMERCE OF
BIRMINGHAM

BY: Randall W. Jordan
ITS VICE-PRESIDENT

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said county, in said State, hereby certify that Randall W. Jordan, whose name as Vice-President of National Bank of Commerce of Birmingham 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, this the 27th day of October, 1986.



STATE OF ALA. SHELBY CO. Lewis S. Woodward
I CERTIFY THIS INSTRUMENT WAS FILED
NOTARY PUBLIC
MY COMMISSION EXPIRES AUGUST 19, 1987
1986 NOV -7 AM 9:45 My commission expires:
October 17, 1990
JUDGE OF PROBATE
Rec. 500
600