

THIS INSTRUMENT WAS PREPARED BY:

✓ JOSEPH W. MATHEWS, JR.
LANGE, SIMPSON, ROBINSON & SOMERVILLE
1700 First Alabama Bank Building
Birmingham, Alabama 35203

STATE OF ALABAMA)

JEFFERSON COUNTY)

812

SUBORDINATION OF MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, that whereas SERVICE CORPORATION OF ALABAMA, an Alabama corporation ("Service Corporation"), is the owner and holder of record of that certain mortgage executed by FREEMONT, an Alabama general partnership ("Freemont"), to Service Corporation dated August 19, 1982, and recorded in the Probate Office of Shelby County, Alabama in Book 422, Page 727 ("the Mortgage"), in which Mortgage there is described and conveyed all that real property in the County of Shelby, State of Alabama, described on Exhibit "A" attached hereto and made a part hereof by reference; and,

BOOK 150 PAGE 486 WHEREAS, BETTY R. SHIRLEY, a married woman, successor in title to the real property more particularly described in attached Exhibit "B," has executed a promissory note (the "Note") in favor of City Federal Savings and Loan Association, which Note is secured by a mortgage (the "City Federal Mortgage") on the real property more particularly described in said Exhibit "B," which mortgage is recorded in Book 150, Page 467, in said Probate Office; and

BOOK WHEREAS, Service Corporation has agreed to subordinate to the City Federal Mortgage its security interest in the property described in attached Exhibit "B."

NOW, THEREFORE, in consideration of the premises and the sum of One and no/100 Dollars (\$1.00) paid to Service Corporation on the execution and delivery of this instrument, the receipt and sufficiency of which sum is hereby acknowledged, Service Corporation does hereby agree that the security interest of Service Corporation in and to the real property described in attached Exhibit "B," by virtue of the Mortgage, shall be junior and subordinate to the City Federal Mortgage.

IN WITNESS WHEREOF, SERVICE CORPORATION OF ALABAMA, an Alabama corporation, has caused this instrument to be executed by its proper officers on this the 8th day of September, 1987.

ATTEST:

SERVICE CORPORATION OF ALABAMA, an
Alabama corporation

By: Lillian S. Meredith By: J. B. Gardner
Its Assistant Secretary Its President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Emmett C. Barber whose name as President of SERVICE CORPORATION OF ALABAMA, an Alabama corporation, is signed to the foregoing Subordination of Mortgage, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Subordination of Mortgage, he, as such officer and with full authority, executed the same voluntarily for and as the act of said Corporation.

Given under my hand this the 8th day of September, 1987.

My commission expires:

7-10-89

Bernice J. Victory
Notary Public

Part of the W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 22, and part of the SE $\frac{1}{4}$ of Section 21, all in Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at the southwest corner of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 22, run in an easterly direction along the south line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for a distance of 575.73 feet to the centerline of Hillsboro Branch being the southwest corner of that tract of land as described in Deed Book 252, Page 387, in the Office of the Judge of Probate Shelby County, Alabama; thence turn an angle to the left of 69 deg. 14 min. and run in a northeasterly direction along the centerline of said branch for a distance of 264.60 feet; thence turning an angle of 2 deg. 25 min. 30 sec. to right in northeasterly direction along the centerline of said branch 179.95 feet; thence turning an angle of 11 deg. 35 min. to the left in northeasterly direction along center line of said branch 154.12 feet; thence turning an angle of 8 deg. 34 min. to the left in northerly direction along the center line of said branch 214.52 feet; thence turning an angle of 3 deg. 03 min. to the right in northerly direction along the center line of said branch 338.29 feet; thence turning an angle of 10 deg. 22 min. 30 sec. left in northerly direction 270.35 feet; thence turning an angle of 9 deg. 21 min. 30 sec. to the right in northerly direction 311.86 feet; thence turn an angle to the right of 2 deg. 21 min. and run in a northeasterly direction for a distance of 88.68 feet to an existing iron pin; thence turn an angle to the left of 11 deg. 12 min. 05 sec. and run in a northerly direction for a distance of 71.79 feet to a point in the centerline of said branch; thence turn an angle to the right of 19 deg. 48 min. 25 sec. and run in a northeasterly direction along said centerline of said branch for a distance of 115.71 feet; thence turn an angle to the left of 6 deg. 48 min. 50 sec. and run in a northerly direction for a distance of 104.59 feet; thence turn an angle to the right of 9 deg. 39 min. 30 sec. and run in a northeasterly direction along centerline of said branch for a distance of 107.51 feet; thence turn an angle to the left of 9 deg. 51 min. 50 sec. and run in a northerly direction along the centerline of said branch for a distance of 76.59 feet; thence turn an angle to the right of 8 deg. 37 min. 25 sec. and run in a northeasterly direction along the centerline of said branch for a distance of 201.15 feet; thence turn an angle to the left of 27 deg. 10 min. 40 sec. and run in a northwesterly direction along the centerline of said branch for a distance of 29.99 feet, more or less, to a point on the southwesterly right-of-way line of Roy Drive; thence turn an angle to the left and run in a northwesterly direction along said southwest right-of-way line of Roy Drive for a distance of 420 feet, more or less, to a point of intersection with the north line of the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 22; thence turn an angle to the left and run in a westerly direction along said north line of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ for a distance of 670 feet, more or less, to an existing 3" capped iron pipe; thence turn an angle to the left of 0 deg. 03 min. 24 sec. and run in a westerly direction along the north line of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21 for a distance of 1286.95 feet to an iron pin being on the east right-of-way line of Shelby County Road #17; thence turn an angle to the left of 81 deg. 48 min. 56 sec. and run in a southerly direction along the east right-of-way line of Shelby County Road #17 for a distance of 89.42 feet; thence turn an angle to the left of 11 deg. 13 min. 11 sec. and run in a southerly direction along said east right-of-way line for a distance of 803.81 feet; thence continue along east right-of-way line in a southerly direction for a

distance of 1286 feet, more or less, to an existing iron pin marking the corner of that tract of land owned by Southern Natural Gas Company; thence turn an angle to the left of 88 deg. 46 min. 30 sec. and run in a northeasterly direction for a distance of 69.85 feet to an existing concrete monument being the most northerly corner of said Southern Natural Gas Company tract; thence turn an angle to the right of 90 deg. and run in a southeasterly direction for a distance of 100.16 feet to an existing concrete monument; thence turn an angle to the right of 90 deg. and run in a southwesterly direction for a distance of 67.55 feet to a point on the east right-of-way line of Shelby County Road #17; thence turn an angle to the left of 88 deg. 12 min. 35 sec. and run in a southeasterly direction along said east right-of-way line for a distance of 61.32 feet to an existing iron pin; thence turn an angle to the left of 64 deg. 55 min. 25 sec. and run in a southeasterly direction for a distance of 763.22 feet to an existing iron pin; thence turn an angle to the right of 42 deg. 33 min. 44 sec. and run in a southeasterly direction for a distance of 502.42 feet to the point of beginning.

LESS AND EXCEPT THE FOLLOWING:
 Part of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:
 Beginning at the southeast corner of said $\frac{1}{4}$ - $\frac{1}{4}$ section, run in a northerly direction along the east line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for a distance of 114.9 feet to a point of intersection with the east right-of-way line of Shelby County Road #17; thence turn an angle to the left of 166 deg. 40 min. 38 sec. and run in a southwesterly direction along said east right-of-way line for a distance of 117.67 feet, more or less, to a point of intersection with the south line of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence turn an angle to the left of 102 deg. 19 min. 07 sec. and run in an easterly direction along said south line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for a distance of 27.12 feet, more or less, to the point of beginning.

422 PAGE 739

BOOK

BOOK 150 PAGE 489

STATE OF ALA. SHELBY CO.
 I CERTIFY THIS
 INSTRUMENT WAS FILED

1982 AUG 19 PM 3:17

Thomas A. Slaughter, Jr.
 JUDGE OF PROBATE

Mtg. Tax - 900.00
Rec 1950
Ad. 1.00

920.50

EXHIBIT "B"

Commence at the Southwest corner of the SW 1/4 of the SW 1/4 of Section 22, Township 20 South, Range 3 West, Shelby County, Alabama; thence continue East along said quarter line 575.73 feet; thence a delta angle of 69 deg. 14 min. 00 sec. left, 264.60 feet; thence a delta angle of 2 deg. 25 min. 30 sec. right, 179.95 feet; thence a delta angle of 11 deg. 35 min. left, 154.12 feet; thence a delta angle of 8 deg. 34 min. left, 89.52 feet to the point of beginning; thence continue along said line 125.00 feet; thence a delta angle of 3 deg. 03 min. right, 98.29 feet; thence a delta angle of 63 deg. 00 min. left, 128.00 feet; thence a delta angle of 80 deg. 00 min. left, 84.00 feet; thence a delta angle of 80 deg. 00 min. right, 65.00 feet; thence an angle to the right of 145 deg. 00 min., 176.00 feet; thence a delta angle of 60 deg. 00 min. left, 130.00 feet; thence an angle to the right of 164 deg. 00 min. 55.00 feet; thence a delta angle of 56 deg. 30 min. left, 140.00 feet; thence an angle to the right of 130 deg. 00 min., 380.00 feet to the point of beginning; being situated in Shelby County, Alabama.

Mineral and mining rights excepted.

THIS CONVEYANCE IS SUBJECT TO:

- (1) Ad valorem taxes for the current tax year.
- (2) Easement to Alabama Power Company as shown by instrument recorded in Real 1, Page 332 in Probate Office.
- (3) Right-of-way granted to Shelby County by instrument recorded in Deed Book 154, Page 384 in Probate Office.
- (4) Easement to Town of Helena as shown by instrument recorded in Deed Book 305, Pages 394, 396, 398, 400 and 402 in Probate Office.
- (5) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights conveyed in Deed Book 324, Page 362, which is a recent lease and the property in the SW 1/4 of SE 1/4 of Section 21, Township 20 South, Range 3 West, is being assessed by Petroleum Corporation of Texas and Jerry Colwell, Glynn D. Buie and United States Steel Corporation, in Probate Office.
- (6) Public utility easements, including a 20 foot 8 inch sewer line easement along the Eastern boundaries as.

shown by survey of Ben F. Carr, Jr., dated February 10, 1987.

- (7) 60 foot Plantation Pipeline Company right of way Northeast to Southwest direction, as shown by Survey of Ben F. Carr, Jr., dated February 10, 1987.
- (8) 100 foot flood plain along East boundary of subject property as shown by survey of Ben F. Carr, Jr., dated February 10, 1987.

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STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1987 SEP 11 AM 9:51

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

RECORDING FEES

Recording Fee	\$ <u>15.00</u>
Index Fee	<u>1.00</u>
TOTAL	\$ <u>16.00</u>