

STATE OF ALABAMA  
SHELBY COUNTY

1029

SUBORDINATION AGREEMENT

WHEREAS, Charles E. Barrett and wife, Ruth S. Barrett, hereinafter called mortgagees and the owners and holders of a first mortgage from JAMES A. HARDIN AND WIFE, CAROL D. HARDIN, AND DIAN KEEL, dated September 14, 1989, recorded in Book 256, Page 599, Public Records of Shelby County, Alabama, and a second mortgage from James A. Hardin and wife, Carol D. Hardin, and Dian Keel, dated September 14, 1989, recorded in Book 256, Page 601, Public Records of Shelby County Alabama, which covers the following property situated in said County and State:

(Hardin Tract)

A parcel of land containing 1.0 acre, more or less and being a part of Lot 2 of the Ruth Barrett Subdivision, said subdivision recorded in Map Bk 13 Pg. 5 in the Probate Office of Shelby County, Al., and subject parcel being fully described as follows:

From the SW corner of said Lot 2, run North along the East ROW of County Hwy. 331 for 20 feet to the POB of subject parcel, thence continue last named course 20 feet, thence T/R 90° 44' 49" for 490.52 feet, thence T/L 90° for 150 feet, thence T/R 90° for 440 feet, thence T/R 90° for 190 feet to the South line of said Lot 2, thence run West along said South lot line for 170 feet, thence T/R 90° for 170 feet, thence T/L 90° for 270 feet, thence T/L 90° for 150 feet, thence T/R 90° for 490.26 feet to the POB.

and

WHEREAS, the owners of said land, hereinafter called owners, desire to have a house built on the above property by Jim Walter Homes, Inc., and require that it be given a first mortgage and a lien on the house and property on which the house is to be built,

and

WHEREAS, it is, therefore, necessary that the above described mortgages be subordinate to the said Jim Walter Homes, Inc. mortgage and

WHEREAS, the mortgagees are agreeable to such a subordination provided that they be notified of any default in the status of the account prior to institution of legal action by the first mortgage holder to cure such a default;

NOW, THEREFORE, for and in consideration of \$1.00 and other good and valuable consideration paid by said owners to said mortgagees and the agreement of Jim Walter Homes, Inc. to notify the mortgagees of a default by the owners at least ten days prior to institution of legal action to cure said default, the receipt and sufficiency of which is hereby acknowledged, the said mortgagees do by this instrument subordinate the lien of the above described property held by, owned by, and in favor of Jim Walter Homes, Inc. dated April 5, 1990 in the amount of \$196,470.00, and recorded in Shelby County, Alabama in Book \_\_\_\_\_, page \_\_\_\_\_.

WITNESS: \_\_\_\_\_

Charles E. Barrett  
Charles E. Barrett

Ruth S. Barrett  
Ruth S. Barrett

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

90 JUN 14 AM 11:22

STATE OF ALABAMA  
SHELBY COUNTY

1. Deed Tax	-----	\$	-----
2. Mfg. Tax	-----	\$	-----
3. Recording Fee	-----	\$	2.50
4. L.P. Fee	-----	\$	4.30
5. Notary Fee	-----	\$	-----
6. Other Fees	-----	\$	1.00
Total	-----	\$	7.80

RETURN TO  
JIM WALTER HOMES INC.  
P. O. BOX 31601  
TAMPA, FLORIDA 33631-3001

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that CHARLES E. BARRETT, AND RUTH S. BARRETT, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day, that being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 11th day of April, 1990.

Martha L. Wood  
Notary Public

My Commission Expires: 10-10-90