

THIS INSTRUMENT WAS PREPARED BY:

Kathryn S. Carver
LANGE, SIMPSON, ROBINSON & SOMERVILLE
1700 First Alabama Bank Building
Birmingham, Alabama 35203

STATE OF ALABAMA)

SHELBY COUNTY)

SUBORDINATION OF ACCOMMODATION MORTGAGE

KNOW ALL MEN BY THESE PRESENTS, that whereas FIRST ALABAMA BANK, an Alabama banking corporation, is the owner and holder of record of that certain Accommodation Mortgage executed by GEOFFREY M. WILDER and wife, SUSAN P. WILDER, to FIRST ALABAMA BANK, dated February 7, 1990, and recorded in the Office of the Judge of Probate of Shelby County, Alabama in Real Volume 281, Page 898 ("the Accommodation Mortgage"), in which Accommodation Mortgage there is described and conveyed all that real property (the "Property") in the County of Shelby, State of Alabama, described on Exhibit "A" attached hereto and made a part hereof by reference; and,

WHEREAS, First Alabama Bank has consented and agreed to subordinate its remaining security interest under the Accommodation Mortgage to that certain Mortgage covering the Property from Geoffrey M. Wilder and wife, Susan P. Wilder, to First Alabama Bank, which is filed for record in Real Volume 339, Page 432, in said Probate Office (the "Mortgage").

Lange, Simpson

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NOW, THEREFORE, in consideration of the premises and the sum of One and No/100 Dollars (\$1.00) paid to First Alabama Bank on the execution and delivery of this instrument, the receipt of which sum is hereby acknowledged, First Alabama Bank does hereby grant its consent and further agrees that any and all of the security interest of First Alabama Bank remaining under the Accommodation Mortgage shall be junior and subordinate to the Mortgage which is executed of even date herewith.

IN WITNESS WHEREOF, FIRST ALABAMA BANK, an Alabama banking corporation, has caused this instrument to be executed by its duly authorized officer on this the 12th day of April, 1991.

FIRST ALABAMA BANK

By: [Signature]
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 S. E. Neuhaus whose name as Vice President of FIRST ALABAMA BANK, an Alabama banking 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 12th day of April, 1991.

Katherine Harvey
Notary Public
My Commission Expires 3-7-92

EXHIBIT "A"

PARCEL I:

A parcel of land in the East half of the NE 1/4 of Section 22, and in the NW 1/4 of the NW 1/4 of Section 23, Township 22 South, Range 3 West, Shelby County, Alabama, described as follows:

Commence at the Northeast corner of said Section 22; thence run South 38 degrees 02 minutes East a distance of 663.36 feet to a Point on the Northwesternly right of way of Shelby County Highway #12, and the Point of Beginning; thence run South 40 degrees 31 minutes West along said right of way a distance of 606.10 feet; thence run South 40 degrees 22 minutes West along said right of way a distance of 647.88 feet; thence run North 59 degrees 47 minutes West a distance of 89.80 feet; thence run North 15 degrees 09 minutes West a distance of 258.44 feet; thence run North 51 degrees 45 minutes West a distance of 146.24 feet; thence run North 48 degrees 51 1/2 minutes West a distance of 127.58 feet; thence run North 49 degrees 45 minutes East a distance of 517.03 feet; thence run North 13 degrees 45 1/2 minutes West a distance of 154.41 feet to a Point on the Southerly side of an unpaved road; thence run North 38 degrees 09 minutes East along said road a distance of 270.64 feet; thence run North 50 degrees 42 1/2 minutes East along said road a distance of 233.67 feet to the P.C. of a curve to the right having a central angle of 83 degrees 25 minutes 44 seconds and a radius of 82.18 feet; thence run along the arc of said curve a distance of 119.37 feet to the P.T. of said curve; thence run South 45 degrees 51 minutes 22 seconds East along said road a distance of 500.91 feet to a Point on the Northwesternly right of way of said Shelby County Highway #12; thence run South 40 degrees 31 minutes West along said right of way a distance of 8.00 feet to the Point of Beginning.

PARCEL II:

A part of which is situated in NE 1/4 of Section 22, Township 22 South, Range 3 West and the remainder in the NW 1/4 of SE 1/4 of said Section 22, and more particularly described as follows:

Begin at the NE Corner of the SE 1/4 of NE 1/4 of Section 22 and go Westward along the North line of said 1/4 - 1/4 Section 528.22 feet to the Point of Beginning; thence at an azimuth of 344 degrees 09 minutes a distance of 46.08 feet; thence at an azimuth of 302 degrees 00 minutes a distance of 192.20 feet; thence at an azimuth of 259 degrees 37 minutes a distance of 378.00 feet; thence at an azimuth of 333 degrees 41 minutes a distance of 113.80 feet; thence at an azimuth of 255 degrees 26 minutes a distance of 124.15 feet; thence at an azimuth of 298 degrees 50 minutes a distance of 249.25 feet; thence continue in the same straight line 30 feet, more or less, to the center line of Spring

Creek; thence continue in a southwesterly direction along the center line of Spring Creek about 549.00 feet to the junction of Spring and Dry Creek; thence in a Southwesterly and then in a Southeasterly direction along Dry Creek about 2237.00 feet to intersection with Northwest border of paved County Highway; thence in a Northeasterly direction along this highway border 2143.25 feet; thence at an azimuth of 299 degrees 30 minutes a distance of 89.8 feet; thence at an azimuth of 344 degrees 09 minutes a distance of 146.32 feet to Point of Beginning; situated in Shelby County, Alabama.

PARCEL III:

Begin at the Northeast corner of the Northeast 1/4 of the Southeast 1/4 of Section 15, Township 22 South, Range 3 West, and go North 89 degrees 50 minutes West along the North boundary of the Southeast 1/4 of said Section for 2541.27 feet to the centerline of Shoal Creek; thence down centerline of Shoal Creek as follows:

Go South 25 degrees 28 minutes 193.08 feet; thence South 36 degrees 43 minutes East for 185.74 feet; thence South 54 degrees 19 minutes East for 130.04 feet; thence South 60 degrees 57 minutes East for 115.83 feet; thence South 09 degrees 41 minutes East for 96.02 feet; thence South 26 degrees 29 minutes West for 150.38 feet; thence South 66 degrees 51 minutes West for 186.98 feet; thence South 64 degrees 58 minutes West for 230.57 feet; thence South 51 degrees 11 minutes West for 173.40 feet; thence South 09 degrees 40 minutes West for 128.15 feet; thence South 34 degrees 05 minutes West for 140.41 feet; thence North 75 degrees 18 minutes West for 215.69 feet; thence North 81 degrees 48 minutes West for 244.76 feet; thence South 70 degrees 27 minutes West for 222.41 feet; thence South 51 degrees 58 minutes West for 136.89 feet; thence South 48 degrees 34 minutes West for 188.97 feet; thence South 18 degrees 40 minutes West for 124.12 feet; thence South 06 degrees 55 minutes East for 83.51 feet; thence South 70 degrees 16 minutes East for 120.54 feet; thence South 44 degrees 28 minutes East for 137.44 feet; thence South 34 degrees 23 minutes East for 195.16 feet; thence South 52 degrees 37 minutes East for 69.45 feet; thence South 22 degrees 18.5 minutes East for 222.79 feet; thence South 01 degrees 32.5 minutes West for 212.20 feet; thence South 02 degrees 58 minutes East for 269.10 feet; thence South 04 degrees 56 minutes East for 187.44 feet; thence South 04 degrees 06 minutes West for 333.57 feet; thence South 18 degrees 01 minutes West for 279.76 feet; thence South 60 degrees 16 minutes West for 174.81 feet; thence South 40 degrees 32 minutes West for 105.31 feet; thence South 34 degrees 28 minutes West for 51.97 feet to a Point where the centerline of Shoal Creek intersects the centerline of Spring Creek; thence up the centerline of Spring Creek as follows:

Go South 89 degrees 02 minutes East for 116.63 feet; thence South

46 degrees 55 minutes East for 188.92 feet; thence South 77 degrees 07 minutes East for 313.84 feet; thence South 86 degrees 42 minutes East for 374.01 feet; thence North 75 degrees 27 minutes East for 192.62 feet; thence North 66 degrees 14 minutes East for 139.57 feet; thence North 89 degrees 56 minutes East for 121.59 feet; thence South 60 degrees 02 minutes East for 183.36 feet; thence South 85 degrees 08 minutes East for 145.87 feet; thence South 57 degrees 31 minutes East for 243.81 feet to a Point where the centerline of Spring Creek intersects the centerline of Dry Creek; thence continue up the CL of Spring Creek as follows:

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Go North 56 degrees 31 minutes East for 185.45 feet; thence North 57 degrees 52 minutes East for 232.22 feet; thence North 25 degrees 45 minutes East for 130.80 feet; thence North 03 degrees 16 minutes West for 84.43 feet; thence North 28 degrees 01 minutes East for 171.10 feet; thence North 14 degrees 27 minutes East for 101.80 feet; thence North 42 degrees 15 minutes East for 116.99 feet; thence departing from the centerline of Spring Creek go South 51 degrees 33 minutes East for 643.83 feet; thence South 48 degrees 51.5 minutes East for 42.34 feet; thence North 49 degrees 54 minutes East for 248.00 feet; thence North 33 degrees 53 minutes West for 100.82 feet; thence North 71 degrees 02 minutes West for 138.69 feet; thence North 03 degrees 58 minutes West for 90.75 feet; thence North 25 degrees 04 minutes West for 30.00 feet to the centerline of an existing chert road thence along said centerline as follows:

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Go North 64 degrees 56 minutes East for 79.91 feet; thence North 74 degrees 6.5 minutes for 135.53 feet; thence North 75 degrees 07 minutes East for 117.89 feet; thence North 83 degrees 53 minutes East for 42.82 feet; thence North 38 degrees 09 minutes East for 261.30 feet; thence North 50 degrees 42.5 minutes East for 3.30 feet; thence North 39 degrees 18 minutes West for 30.00 feet to a Point on the North boundary of said road; thence North 39 degrees 18 minutes West for 550.50 feet to the centerline of said Spring Creek; thence up the centerline of Spring Creek as follows:

Go North 28 degrees 10 minutes East for 126.68 feet; thence North 40 degrees 12.5 minutes East for 391.61 feet; thence South 59 degrees 48.5 minutes East for 289.0 feet; thence North 41 degrees 45.5 minutes East for 50.45 feet to the East boundary of Section No. 15; thence North 03 degrees 17 minutes West along said East Boundary or 628.00 feet to an existing iron pin; thence North 02 degrees 51 minutes West along said East boundary 1539.35 feet to the Point of Beginning.

PARCEL IV

A portion of the SW 1/4 of the NE 1/4, the NW 1/4 of the SE 1/4, the NE 1/4 of the SW 1/4 and the SE 1/4 of the NW 1/4 of Section 22, Township 22 South, Range 3 West, described as follows:

Commence at the NE corner of the SE 1/4 of the NW 1/4 of Section 22 and go 50 degrees 55 minutes East along the East boundary of said Quarter - Quarter Section for 367 feet to the point of beginning, thence South 84 degrees 15 1/2 minutes East for 653.77 feet to the center line of Dry Creek; thence up the center of Dry Creek as follows:

Go South 35 degrees 20 minutes West for 237.90 feet; thence South 29 degrees 13 minutes West for 205 feet; thence South 48 degrees 36 minutes West for 231.67 feet; thence South 44 degrees 10 minutes West for 297 feet; thence South 1 degree 08 minutes East for 141.51 feet; thence South 37 degrees 56 minutes East for 137.23 feet; thence South 74 degrees 07 minutes East for 134.20 feet; thence South 51 degrees 32 minutes East for 191.17 feet; thence South 77 degrees 48 minutes East for 255.59 feet to the Northwesternly boundary of Spring Creek Road; thence South 52 degrees 56 1/2 minutes West along said boundary 614.14 feet; thence South 52 degrees 59 minutes West along said boundary 326.73 feet to the intersection of the Northwesternly boundary of Spring Creek Road and the Northeastly boundary of Overland Road, thence along the Northeastly boundary of Overland Road as follows:

Go North 39 degrees 32 1/2 minutes West for 503.98 feet; thence North 80 degrees 56 minutes West for 295.15 feet; thence South 57 degrees 40 1/2 minutes West for 122.56 feet; thence North 79 degrees 29 1/2 minutes West for 221.88 feet; thence North 36 degrees 39 1/2 minutes West for 234.70 feet; thence North 34 degrees 54 minutes West for 86.63 feet to the Southeasterly boundary of Jones Property; thence North 46 degrees 12 minutes East along said Southeasterly boundary for 1693.40 feet to the point of beginning; all being situated in Shelby County, Alabama.

SUBJECT TO:

1. Ad valorem taxes for the year 1991 and taxes for all subsequent years.
2. Coal, oil, gas and other mineral interests in, to or under the land herein described. (All parcels)
3. Rights of way to Alabama Power Company as recorded in Volume 136, page 273; Volume 146, page 318; Volume 211, page 444;

Volume 211, page 446; Volume 225, page 276; and Volume 326, page 695 in the Probate Office of Shelby County, Alabama. (Parcel II)

4. Rights of way to Alabama Power Company as recorded in Volume 101, page 82; Volume 130, page 295; Volume 211, page 446; and Volume 326, page 481 in said Probate Office. (Parcel I)

5. Oil and Gas Lease recorded in Volume 36, page 61, in said Probate Office. (Parcel I, II & III)

6. Mortgage from Geoffrey M. Wilder and Susan P. Wilder to William B. Surface and June C. Surface, filed for record in Volume 107, page 134, in said Probate Office. (Covers Parcel IV only.)

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STATE OF ALABAMA
I CERTIFY THIS
INSTRUMENT WAS FILED

91 APR 22 PM 3:00

JUDGE OF PROBATE

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3 00
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