

3021  
STATE OF ALABAMA )  
JEFFERSON COUNTY )

MORTGAGE SUBORDINATION

WHEREAS, RICHARD L. TRUEB and wife, MOLLY S. TRUEB, (hereinafter called "Mortgagors"), executed a Mortgage covering the hereinafter described real estate (hereinafter called the "AmSouth Mortgage") to the undersigned AmSouth Bank, N.A., a national banking corporation, (hereinafter called the "Mortgagee") to secure the payment of the indebtedness referred to in the Mortgage which was recorded in Book 321, page 177 in the Probate Office of Shelby County, Alabama:

Lot 28, in Block 2, according to the Amended Survey of Woodford, a Subdivision of Inverness, as recorded in Map Book 8, Page 51 A, B, C and D, in the Probate Office of Shelby County, Alabama.

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WHEREAS, the Mortgagors are planning to borrow money from COLLATERAL MORTGAGE, LTD. (hereinafter called "COLLATERAL") which loan or loans is to be secured by a mortgage on the above described real estate (hereinafter called "Real Estate") and, as one of the conditions to COLLATERAL making said loan or loans to the Mortgagors, COLLATERAL has required that the AmSouth Mortgage be subordinated to the mortgage to be executed in favor of COLLATERAL (said mortgage being hereinafter called "COLLATERAL Mortgage"); and

WHEREAS, to induce COLLATERAL to lend money to the Mortgagors upon such terms and conditions, and in such amount

as may be agreed upon by the Mortgagors and COLLATERAL and to induce COLLATERAL to provide long-term financing in such amount and upon such terms and conditions as may be agreed upon by the Mortgagors and COLLATERAL, the Mortgagee has agreed to subordinate the AmSouth Mortgage to the COLLATERAL Mortgage.

NOW, THEREFORE, in consideration of the premises and \$10.00 in hand paid by COLLATERAL to the Mortgagee, the receipt and sufficiency of which is hereby acknowledged by the Mortgagee, and to induce COLLATERAL to lend money to the Mortgagors upon such terms and conditions and in such amount as may be agreed upon by the Mortgagors and COLLATERAL, it is hereby agreed as follows:

(1) The Mortgagee, who is now the owner of the AmSouth Mortgage does hereby consent and agree that the AmSouth Mortgage and the lien thereof, and the Mortgagee's rights, title and interest in and to the Real Estate, are and shall be, subject and subordinate to (a) the COLLATERAL Mortgage and to all of COLLATERAL'S rights, title and interest thereunder. It is understood and agreed by the Mortgagee that the AmSouth Mortgage shall be subject and subordinate to the COLLATERAL Mortgage and to all the advances and debts secured thereby. The Mortgagee agrees to execute any such additional instruments which COLLATERAL may request to evidence the subordination of the AmSouth Mortgage to the COLLATERAL Mortgage. Except with respect to this subordination, the

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AmSouth Mortgage and the indebtedness secured thereby shall remain in full force and effect.

(2) Mortgagee does further consent to Mortgagors' execution of the COLLATERAL Mortgage and does agree that the execution of the COLLATERAL Mortgage shall not constitute a sale, transfer, assignment or conveyance within the prohibition of AmSouth or constitute a default of AmSouth.

(3) This agreement shall be binding upon the successors and assigns of the Mortgagee.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed this the 23<sup>rd</sup> day of May, 1991.

AMSOUTH BANK, N.A., A National  
Banking Corporation

By: Eric L. Canada  
Its: Asst. Vice President

Richard L. Trueb  
RICHARD L. TRUEB  
Borrower

Molly S. Trueb  
MOLLY S. TRUEB  
Borrower

STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned authority, in and for said county in said state, hereby certify that Eric L. Canada, whose name as Asst. Vice President of AmSouth Bank, N.A., a national banking 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 said 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 24 day of May, 1991.

*Mary J. Deane*  
NOTARY PUBLIC

MY COMMISSION EXPIRES DECEMBER 11, 1994

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned authority, in and for said county in said state, hereby certify that RICHARD L. TRUEB and wife, HOLLY S. TRUEB, 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 said instrument, they executed the same voluntarily on the date the same bears date.

Given under my hand and official seal this the 24 day of May, 1991.

*Mary J. Deane*  
NOTARY PUBLIC

MY COMMISSION EXPIRES DECEMBER 11, 1994

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

91 JUN 12 PM 12:01

*Thomas W. Shivers, Jr.*  
JUDGE OF PROBATE

1. Total Tax	
2. State Tax	10.00
3. Local Tax	3.50
4. Total Tax	13.50
5. Total Tax	14.00