

SUBORDINATION

STATE OF ALABAMA
COUNTY OF SHELBY

This Subordination agreement, made and entered into this 30TH day of JULY, 1992, by and between SOUTHTRUST BANK OF ALABAMA N.A., as Party of the First Part, and COLLATERAL MORTGAGE, LTD., as Party of the Second Part.

Witnesseth

THAT, WHEREAS, ROBERT P. ERWIN AND ERNESTINE W ERWIN, has/have an outstanding lien in favor of SOUTHTRUST BANK OF ALABAMA, N.A., dated AUGUST 18, 1989 and recorded in the Probate Office of SHELBY County, Alabama, in Book #266 and Page #539 on certain real estate described therein to secure an indebtedness of \$28,000.00 and said lien is in full force and effect; and,

WHEREAS, ROBERT P. ERWIN AND ERNESTINE W ERWIN has/have made an application to the party of the Second Part for a loan in the sum of \$60,700.00 and said Party of the Second Part is willing to make said loan to the said ROBERT P. ERWIN AND ERNESTINE W ERWIN, provided he/she/they furnish it with a mortgage on the lands described in the aforesaid lien, and the said SOUTHTRUST BANK OF ALABAMA N.A. subordinate the above described lien and make the same second and subservient to the mortgage of COLLATERAL MORTGAGE, LTD.; and

WHEREAS, the said Party of the First Part is willing to subordinate its said lien and make the second and subservient to the mortgage of the said Party of the Second Part as an inducement to it to make same said loan.

NOW THEREFORE, in consideration of the premises and the further consideration of the sum of \$ -0- , cash in hand paid, the Party of the First Part by the Party of the Second Part, the receipt of which is hereby acknowledged, the said Party of the First Part does hereby agree that the lien of ROBERT P. ERWIN AND ERNESTINE W ERWIN to SOUTHTRUST BANK OF ALABAMA N.A., dated AUGUST 18, 1989 and recorded in the Probate Office of SHELBY County, Alabama in Book #266 and Page #539, shall be second and subservient to the mortgage of COLLATERAL MORTGAGE, LTD. to ROBERT P. ERWIN AND ERNESTINE W ERWIN, dated JULY 30, 1992 recorded in the Probate Office of SHELBY County, Alabama in Volume (INST # 1992-16070) page () to secure the sum of \$60,700.00, plus interest on the land described therein, and the said lien of the said SOUTHTRUST BANK OF ALABAMA N.A. shall be subordinate to the mortgage OF COLLATERAL MORTGAGE, LTD..

It is further agreed that should ROBERT P. ERWIN AND ERNESTINE W ERWIN default in his/her/their payments under the terms of the real estate mortgage to COLLATERAL MORTGAGE, LTD., the said COLLATERAL MORTGAGE, LTD. agrees to notify SOUTHTRUST BANK OF ALABAMA N.A., P.O. Box 531150, B'ham, AL. 35253, of said default prior to taking legal action.

IN WITNESS WHEREOF, the said SOUTHTRUST BANK OF ALABAMA, N.A. by S. B. PICKENS has caused his/her name to be hereunto signed on this day the 30TH day of JULY, 1992.

SOUTHTRUST BANK OF ALABAMA, N.A.
By: *S. B. Pickens*
As its: ASSITANT VICE PRESIDENT

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said State and County, hereby certify that S. B. PICKENS, whose name as ASSITANT VICE PRESIDENT of SOUTHTRUST BANK OF ALABAMA, N.A. is signed to the foregoing conveyance, and is known to me, acknowledged before me on this day, that, being informed of the contents of this conveyance, and with full authority as such officer, executed the same voluntarily for and as the act of said Corporation.

Given under my hand and seal of office this 30TH day of JULY, 1992.

NOTARY PUBLIC *Ther. M. Olson*

My commission expires *Feb. 16, 1993*

Inst # 1992-16071
08/05/1992-16071
03:22 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE

STEWART TITLE