

SUBORDINATION AGREEMENT

STATE OF ALABAMA
COUNTY OF SHELBY

This Subordination Agreement, made and entered into this the 18th day of MARCH, 1992, by and between SOUTHTRUST BANK OF ALABAMA, NATIONAL ASSOCIATION, P.O. BOX 2554, BIRMINGHAM, ALABAMA, as Party of the First Part, and SOUTHTRUST MORTGAGE CORPORATION, as Party of the Second Part.

W I T N E S S E T H

THAT, WHEREAS, BYRLE A. KYNERD AND MARY JO KYNERD has/have an outstanding lien in favor of SOUTHTRUST BANK OF ALABAMA, NATIONAL ASSOCIATION, dated SEPTEMBER 7, 1988 and recorded in the Probate Office of SHELBY County, Alabama, in REAL 206, PAGE 604-608 on certain real estate described therein to secure an indebtedness of \$18,000.00, and said lien is in full force and effect; and,

WHEREAS, BYRLE A. KYNERD AND MARY JO KYNERD made an application to the Party of the Second Part for a loan in the sum of \$84,000.00 and said Party of the Second Part is willing to make said loan to the said BYRLE A. KYNERD AND MARY JO KYNERD, provided they furnish it with a mortgage on the lands described in the aforesaid lien, and the said SOUTHTRUST BANK OF ALABAMA, NATIONAL ASSOCIATION subordinate the above described lien and make the same second and subservient to the mortgage of SOUTHTRUST MORTGAGE CORPORATION; 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 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 BYRLE A. KYNERD and MARY JO KYNERD to SOUTHTRUST BANK OF ALABAMA, NATIONAL ASSOCIATION dated SEPTEMBER 7, 1988 and recorded in the Probate Office of SHELBY County, Alabama in REAL 206, PAGE 604-608, AMENDED Inst#1992-09322 shall be second and subservient to the mortgage of BYRLE A. KYNERD AND MARY JO KYNERD to SOUTHTRUST MORTGAGE CORPORATION, dated MARCH 11, 1992 and recorded in the Probate Office of SHELBY County, Alabama in REAL 398 PAGE 601 to secure the sum of \$84,000.00, plus interest on the land described therein, and the said lien of the said SOUTHTRUST BANK OF ALABAMA, NATIONAL ASSOCIATION shall be subordinate to the mortgage of SOUTHTRUST MORTGAGE CORPORATION.

IT IS FURTHER agreed that should BYRLE A. KYNERD AND MARY JO KYNERD default in his/her/their payments under the terms of the real estate mortgage to SOUTHTRUST MORTGAGE CORPORATION agrees to notify SouthTrust Bank Of Alabama, National Association, P.O. Box 2554, Birmingham, Alabama 35290 of said default prior to taking legal action.

IN WITNESS WHEREOF, the said SouthTrust Bank Of Alabama, National Association has caused its name to be hereunto signed on this the 18th day of MARCH, 1992.

SOUTHTRUST BANK OF ALABAMA, NATIONAL ASSOCIATION

BY: *S. B. Pickens*

As its: ASSISTANT 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 ASSISTANT VICE PRESIDENT of SouthTrust Bank Of Alabama, National Association is signed to the foregoing conveyance, and who 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 18th day of MARCH, 1992.

Terri M. Allen
Notary Public

My commission expires Feb. 16, 1993

1992-16116
08/06/1992-16116
08:46 AM
SHELBY COUNTY JUDGE OF PROBATE
6.50

County