

SUBORDINATION AGREEMENT

THIS SUBORDINATION OF MORTGAGE executed this 14th day of August, 1992, by AmSOUTH BANK, N.A. (hereinafter referred to as the MORTGAGEE):

WITNESSETH:

WHEREAS, Mortgagee is the owner and holder of that certain second mortgage from JAMES S. KOHLER and wife, RAY L. KOHLER, of record in Real Volume 375, Page 30, in the Probate Office of Shelby County, Alabama, on the following described property situated in Shelby County, Alabama:

Lot 11, according to the survey of Chanda Terrace, 1st Sector, as recorded in Map Book 9, Page 100, in the Probate Office of Shelby County, Alabama,

and

WHEREAS, MOLTON, ALLEN AND WILLIAMS CORPORATION is making a mortgage loan to James S. Kohler and wife, Ray L. Kohler (to refinance the original first mortgage loan to CBS Mortgage Company, Inc. of record in Real Volume 66, Page 429, in the Probate Office of Shelby County, Alabama, and being transferred and assigned to Federal Home Loan Mortgage Corporation, by instrument of record in Real Vol. 70, Page 499, in said Probate Office) in the amount of \$74,625.00, said loan secured by a mortgage which encumbers the above described real property; and

WHEREAS, Molton, Allen and Williams Corporation as a condition for making said new mortgage loan, requires Mortgagee to subordinate the lien of its mortgage to the lien of the new Molton, Allen and Williams Corporation mortgage and Mortgagee has agreed to do so.

NOW, THEREFORE, for and in consideration of the premises hereof and of the mutual advantages and benefits accruing to the parties hereto, and in further consideration of the sum of TEN DOLLARS (\$10.00), in hand paid by Molton, Allen and Williams Corporation to Mortgagee, the receipt and sufficiency of which is hereby acknowledged, Mortgagee does hereby covenant, consent and agree to and with Molton, Allen and Williams Corporation that the lien of AmSouth Bank, N.A. shall be and the same is hereby made subordinate, inferior and subject in every respect to the lien of the Molton, Allen and Williams Corporation mortgage, which was granted by James S. Kohler and wife, Ray L. Kohler, to Molton, Allen and Williams Corporation to refinance the original mortgage recorded in Real Volume 66, Page 429, in the Probate Office of Shelby County, Alabama, which encumbers the above described property; however, this subordination is limited to the amount of \$74,625.00.

IN WITNESS WHEREOF, this agreement is executed the day and year first above written.

SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:

AmSOUTH BANK, N.A.

By *H. D. Albro*  
Its *Vice President*

STATE OF ALABAMA            )  
COUNTY OF JEFFERSON        )

The foregoing instrument was acknowledged before me this 14th day of August, 1992, by *H. D. Albro* as *Vice President* of AmSouth Bank, N.A., on behalf of the Bank.

*William B. Smith*  
NOTARY PUBLIC

MY COMMISSION EXPIRES:  
Inst # 1992-18715  
MY COMMISSION EXPIRES OCTOBER 24, 1995

09/02/1992-18715  
08:01 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MCD 6.50

*Stone, Patton*