

3804

SUBORDINATION AGREEMENT

STATE OF ALABAMA  
COUNTY OF SHELBY

This Subordination Agreement, made and entered into on this the 21 day of August, 1992, by and between ALABAMA POWER COMPANY, as the 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, MARK OWEN AMDALL and KAREN A. AMDALL, have an outstanding lien in favor of ALABAMA POWER COMPANY, dated April 25, 1992, and recorded in the Probate Office of Shelby County, Alabama in under UCC #028057 on certain real estate described therein to secure an indebtedness of \$7,730.00, and said lien is in full force and effect; and,

Whereas, MARK OWEN AMDALL and KAREN A. AMDALL have made an application to the Party of the Second Part for a loan in the sum of \$ 134,100.00 and said Party of the Second Part is willing to make said loan to the said MARK OWEN AMDALL and KAREN A. AMDALL, provided they furnished it with a mortgage on the lands described in the aforesaid lien, and the said ALABAMA POWER COMPANY subordinate the above described lien and make the same second and subservient to the mortgage of SOUTHTRUST MORTGAGE CORPORATION;

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 Part of the Second Part as an inducement to it to make said loan.

Now therefore, in consideration of the premises and further consideration of the sum \$ -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 MARK OWEN AMDALL and KAREN A. AMDALL, to ALABAMA POWER COMPANY, dated April 25, 1991 and recorded in the Probate Office of Jefferson County, Alabama under UCC #028057, shall be second and subservient to the mortgage of MARK OWEN AMDALL and KAREN A. AMDALL to SOUTHTRUST MORTGAGE CORPORATION, dated AUGUST 18, 1992 and recorded in the Probate Office of Shelby County, Alabama in Volume Inst No 1992-18934, Page 18933, to secure the sum of \$ 134,100.00, plus interest, on the land described therein, and the said lien of the said ALABAMA POWER COMPANY shall be subordinate to the mortgage of SOUTHTRUST MORTGAGE CORPORATION.

It is further agreed that should MARK OWEN AMDALL and KAREN A. AMDALL default in their payments under the terms of the real estate mortgage to SOUTHTRUST MORTGAGE CORPORATION said SOUTHTRUST MORTGAGE CORPORATION agrees to notify ALABAMA POWER COMPANY of said default prior to taking legal action.

IN WITNESS WHEREOF, the said David Hoyle, whose name as Assistant Manager of Alabama Power Company has signed his name to the foregoing instrument on this 21 day of August, 1992.

ALABAMA POWER COMPANY

BY:

David Hoyle  
As its: Asst. Mgr./Cost Svc.

Inst # 1992-18934

09/03/1992-18934  
12:35 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
DQE MCD 10.00

Cambridge

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said State in said County, hereby certify that David Hoyle whose name as Assistant Manager of Alabama Power Company, a corporation, 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 the conveyance, 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 seal this 21<sup>st</sup> day of August, 1992.

Don D. Bailey  
Notary Public  
My commission expires: 4-1-95

THIS INSTRUMENT PREPARED BY:  
S. Kent Stewart, Attorney at Law  
3800 Colonnade Parkway, Suite 650  
Birmingham, Alabama 35243

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