

STATE OF ALABAMA)
SHELBY COUNTY)

SUBORDINATION AGREEMENT

WHEREAS, John D. Clements and Janis P. Clements (hereinafter collectively referred to as "Borrower") have requested a loan from SouthTrust Mortgage Corporation ("SouthTrust Mortgage"), which loan will be secured by a mortgage from Borrower to SouthTrust Mortgage encumbering the property hereinafter described; and

WHEREAS, the undersigned has a lien or other interest in said property pursuant to that certain mortgage recorded in the Office of the Judge of Probate of Shelby County, Alabama in Book 334, Page 318, which would or may, in the absence of this agreement, be superior to the mortgage executed by the Borrower to SouthTrust Mortgage; and

WHEREAS, SouthTrust Mortgage is not required to make, and is unwilling to make, the requested loan to the Borrower unless the undersigned subordinates its lien or other interest in said property to the mortgage executed by the Borrower to SouthTrust Mortgage.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, and in order to induce SouthTrust Mortgage to make the requested loan to the Borrower, the undersigned hereby agrees as follows:

The undersigned hereby subordinates to the mortgage executed by the Borrower to SouthTrust Mortgage all right, title and interest at law or equity of the undersigned in and to the real estate situated in Shelby County, Alabama, and more particularly described on Schedule "A" which is attached hereto and made a part

Inst # 1992-27257

Inst # 1992-27257

4105.1

11/17/1992-27257
12:02 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 KJS 11.50

hereof; including, without limitation, any lien which the undersigned has or will have on said property.

IN WITNESS WHEREOF, the undersigned has caused this agreement to be duly executed by its duly authorized officer as of the 9th day of November 1992.

**SOUTHTRUST BANK OF ALABAMA,
NATIONAL ASSOCIATION**

By: *Walter L. Gillespy*
Its *Vice President*

STATE OF ALABAMA)
)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Clarke H. Gillespy, whose name as Vice President of SouthTrust Bank of Alabama, National Association, a national banking association, 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 the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said national banking association.

Given under my hand and official seal this 9th day of November 1992.

Heidi A. Bailey
NOTARY PUBLIC

My Commission Expires July 13, 1996

My commission expires: _____

This instrument prepared by: Gary W. Farris, Esq.
Burr & Forman
3000 SouthTrust Tower
420 North 20th Street
Birmingham, Alabama 35203
(205) 251-3000

SCHEDULE A

Lot 191-A, according to the Amended Survey of Shoal Creek Subdivision, as recorded in Map Book 9, Page 113, in the Office of the Judge of Probate of Shelby County, Alabama.

Inst # 1992-27257

4105.1

3
11/17/1992-27257
12:02 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MJS 11.50