

## SUBORDINATION AGREEMENT

STATE OF ALABAMA  
COUNTY OF Shelby

This Subordination Agreement, made and entered into on this the 10th day of November, 1992, by and between AmSouth Bank, N.A., as Party of the First Part, and Collateral Mortgage, LTD as Party of the Second Part.

## W I T N E S S E T H

That, whereas, Michael D. Wesson and wife Kathleen R. Wesson, have an outstanding lien in favor of AmSouth Bank, N.A. dated 8/7/90 and recorded in the Probate Office of Shelby County, Alabama in Official Record Book 304, Page 157 on certain real estate described therein to secure an indebtedness of \$ 20,000.00, and said lien is in full force and effect; and,

Whereas, Michael D. Wesson and wife Kathleen R. Wesson have made an application to the Party of the Second Part for a loan in the sum of \$ 103,000.00 and said Party of the Second Part is willing to make said loan to the said Michael D. Wesson and wife, Kathleen R. Wesson, provided they furnished it with a mortgage on the lands described in the aforesaid lien, and the said AmSouth Bank, N.A. subordinate the above described lien and make the same second and subservient to the mortgage of Collateral Mortgage, LTD.

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 Michael D. Wesson & wife, Kathleen R. Wesson to AmSouth Bank, N.A., dated 8/7/90 and recorded in the Probate Office of Shelby County, Alabama in Official Record Book 304, Page 157, shall be second and subservient to the mortgage of Michael D. Wesson and wife Kathleen R. Wesson to Collateral Mortgage, LTD, dated \_\_\_\_\_ and recorded in the Probate Office of Shelby County, Alabama in Official Record Book \_\_\_\_\_, Page \_\_\_\_\_, to secure the sum of \$ 103,000.00 plus interest, on the land described therein, and the said lien of the said AmSouth Bank, N.A. shall be subordinate to the mortgage of Collateral Mortgage, LTD.

It is further agreed that should Michael D. Wesson and wife, Kathleen R. Wesson default in their payments under the terms of the real estate mortgage to Collateral Mortgage, LTD, the said Collateral Mortgage, LTD agrees to notify AmSouth Bank, N.A. of said default prior to taking legal action.

IN WITNESS WHEREOF, the said H.D. Alsobrooks, whose name as VICE PRESIDENT of AmSouth Bank, N.A. has signed \_\_\_\_\_ name to the foregoing instrument on this 10th day of November, 1992.

BY: H.D. Alsobrooks  
Inst. # 1992-29078 VICE PRESIDENT

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SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 9.00

Inst # 1992-29078

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said State and in said County, hereby certify that H. D. Alsobrooks, whose name as Vice President of AmSouth Bank, N.A., 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 10<sup>th</sup> day of November, 1992.

Linda K. Jones  
Notary Public  
My commission expires: 11-19-94

This instrument prepared by:  
S. Kent Stewart, Attorney at Law  
3800 Colonnade Parkway, Suite 650  
Birmingham, Alabama 35243

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