

## SUBORDINATION AGREEMENT

This Agreement made this date by and between First Alabama Bank (herein called First Party), and Troy & Nichols, Inc. (herein called Second Party).

Whereas, First Party is the owner and holder of that certain mortgage recorded in Instrument #1992-18049, executed by Donald C. Borio and Gail A. Borio in the Probate Office of Shelby County, Alabama, which mortgage encumbers the property described as follows:

Lot 22, according to the Survey of Brook Highland, 1st Sector, as recorded in Ma Book 12 page 62 A & B, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Mineral and mining rights excepted.

Whereas, the Second Party will not make the said loan unless the First Party subordinates its mortgage to that mortgage to the Second Party.

Now therefore in consideration of One Dollar and other good and valuable consideration, the Parties hereto agree as follows:

The First Party, First Alabama Bank, consents and agrees that the lien of its mortgage recorded in Instrument #1992-18049, is and shall continue to be, subject and subordinate in lien to the lien of the mortgage being made to the Second Party, Troy & Nichols, Inc. in which mortgage is recorded in Instrument # ~~XXXXXX~~ 1993-09603 in the said Probate Office.

THIS SUBORDINATION AGREEMENT IS BEING RE-RECORDED TO CORRECT THE RECORDING INFORMATION OF THE NEW FIRST MORTGAGE TO TROY & NICHOLS, INC.

Done this 18th day of March 1993.

First Alabama Bank

BY: Gregg Maercker

its Vice President

STATE OF ALABAMA  
COUNTY OF Shelby

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Gregg Maercker, whose name as Vice President, of First Alabama Bank, a corporation, 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,       , as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 18th day of March, 1993.

Cheryl L. Hay  
Notary Public

4-11-93

Inst # 1993-11866  
1993-11866

Inst # 1993-09137

04/28/1993-11866  
11:45 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 NCD 6.50

04/05/1993-09137  
03:50 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 KJS 6.50