

THIS AGREEMENT is made this 28TH DAY OF MAY, 1993, between MAX M. DEES, JR. AND WIFE, NANCY L. DEES of SHELBY County, Alabama, and APCO EMPLOYEES CREDIT UNION of JEFFERSON County, Alabama.

Property Description

WHEREAS, MAX M. DEES, JR. AND WIFE, NANCY L. DEES own all right, title and interest in real property described as follows:

LOT 30, BLOCK 1, ACCORDING TO THE SURVEY OF GROSS ADDITION TO ALTADENA SOUTH, 2ND PHASE OF 1ST SECTOR, AS RECORDED IN MAP BOOK 6, PAGE 17, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

Senior Lien

AND WHEREAS, APCO EMPLOYEES CREDIT UNION is the holder of a lien for \$17,000.00 on said property by virtue of that certain Mortgage Deed from MAX M. DEES, JR. AND WIFE, NANCY L. DEES to APCO EMPLOYEES CREDIT UNION filed for record MAY 2, 1989 in Real Volume 236, page 716, in the Probate Office of SHELBY County, Alabama, which said lien is presently secured upon the said Premises, giving certain rights to APCO EMPLOYEES CREDIT UNION.

Subsequent Mortgage

AND WHEREAS, a Mortgage was given by the said MAX M. DEES, JR. AND WIFE, NANCY L. DEES to APCO EMPLOYEES CREDIT UNION for \$49,440.16 dated MAY 28, 1993 and intended to be forthwith recorded as aforesaid, which said Mortgage is secured on the Premises hereinabove described;

Intent to Subordinate

AND WHEREAS, it is the desire and intention of the parties hereto to subordinate the lien and operation of the lien first above-recited, for the full balance thereof, to the lien and operation of the Mortgage second above-recited, so that the said Mortgage second above-recited shall and will become a lien upon the said Premises and the lien first above-recited shall be subordinated thereto in every manner whatsoever ;

Consideration and Subordination

NOW WITNESS: That the parties hereto, intending to be legally bound hereby, in consideration of the Premises and of the advantages to be derived from these presents, as well in consideration of the sum of \$10.00 lawful money of the United States of America, each to the other well and truly paid at and before the sealing and delivery of these presents, receipt whereof is hereby acknowledged, agree that the said lien first above recited, secured upon the Premises as therein described shall be, and the same is by these presents, made junior in lien and subordinated to the lien and operation of the said Mortgage second above-recited to be given and executed by MAX M. DEES, JR. AND WIFE, NANCY L. DEES to APCO EMPLOYEES CREDIT UNION as aforesaid, secured upon the Premises herein described.

Default

In the event of default under any of the terms or conditions of the said subordinated lien, resulting in foreclosure proceedings thereon, or on the accompanying note, such proceedings shall be especially advertised as being under and subject to the lien and payment of the said Mortgage given and executed by MAX M. DEES, JR. AND WIFE, NANCY L. DEES to APCO EMPLOYEES CREDIT UNION ON MAY 28, 1993, in the principal sum of \$49,440.16.

THIS AGREEMENT shall be binding upon the parties hereto, their heirs, successors, and assigns.  
IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed on MAY 28, 1993.

WITNESS

V. M. Mann

SENIOR LIENHOLDER

APCO EMPLOYEES CREDIT UNION

BY: James A. Prentice  
ITS: JAMES A. PRENTICE, LOAN DEPT. MANAGER

SUBSEQUENT MORTGAGEE  
APCO EMPLOYEES CREDIT UNION

By: James A. Prentice  
ITS: JAMES A. PRENTICE, LOAN DEPT. MANAGER

WITNESS

V. M. Mann

WITNESS

Chris J. Guss

MORTGAGORS

Max M. Dees, Jr.  
MAX M. DEES, JR.

WITNESS

Chris J. Guss

Nancy L. Dees  
NANCY L. DEES

Cambridge

Inst # 1993-18351  
06/23/1993-18351  
11:54 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
9.08  
002 KCD

ACKNOWLEDGEMENTS

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned Notary Public, hereby certify that JAMES A. PRENTICE, whose name as LOAN DEPT. MANAGER of APCO EMPLOYEES CREDIT UNION 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 foregoing conveyance, he, as such officer and with full authority, executed the same voluntarily on the date the same bears date.

Given under my hand this 28TH day of MAY, 1993.

V. Merrill Mann, Jr.  
Notary Public

My commission expires: 2/26/95

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned Notary Public, hereby certify that JAMES A. PRENTICE, whose name as LOAN DEPT. MANAGER of APCO EMPLOYEES CREDIT UNION, a credit union, 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 foregoing conveyance, he/she, as such officer and with full authority, executed the same voluntarily on the date the same bears date.

Given under my hand this 28TH day of MAY, 1993.

V. Merrill Mann, Jr.  
Notary Public

My commission expires: 2/26/95

STATE OF ALABAMA  
COUNTY OF SHELBY

I, the undersigned Notary Public, hereby certify that MAX M. DEES, JR. AND WIFE, NANCY L. DEES whose names is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the foregoing conveyance, he/she/they has/have executed the same voluntarily on the date the same bears date.

Given under my hand this 28TH day of MAY, 1993.

Cheryl J. Gay  
Notary Public

My commission expires: 9-3-95

Inst # 1993-18351

06/23/1993-18351  
11:54 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 NCD 9.00