

SUBORDINATION AGREEMENT

STATE OF ALABAMA
COUNTY OF JEFFERSON

This Subordination Agreement, made and entered into on this the 29th day of SEPTEMBER, 1993, by and between TOMMY C. SMITH AND JANET L. SMITH, as the Party of the First Part, and AMERICAN INDEPENDENT MORTGAGE, as Party of the Second Part.

W I T N E S S E T H

That, whereas, TOMMY C. SMITH AND JANET L. SMITH, has an outstanding lien in favor of NATIONS CREDIT, dated JUNE 3, 1992 and recorded in the Probate Office of SHELBY County, Alabama in UCC# 1992-10021 on certain real estate described therein to secure an indebtedness of \$ 4,014.60, and said lien is in full force and effect; and,

Whereas, TOMMY C. SMITH AND JANET L. SMITH has made an application to the Party of the Second Part for a loan in the sum of \$ 94,500.00 and said Party of the Second Part is willing to make said loan to the said TOMMY C. SMITH AND JANET L. SMITH, provided she furnished it with a mortgage on the lands described in the aforesaid lien, and the said NATIONS CREDIT subordinate the above described lien and make the same second and subservient to the mortgage of AMERICAN INDEPENDENT MORTGAGE; and

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 TOMMY C. SMITH AND JANET L. SMITH to NATIONS CREDIT, dated JUNE 3, 1992 and recorded in the Probate Office of SHELBY County, Alabama in UCC # 1992-10021, shall be second and subservient to the mortgage of TOMMY C. SMITH AND JANET L. SMITH to AMERICAN INDEPENDENT MORTGAGE, dated SEPTEMBER 27, 1993 and recorded in the Probate Office of SHELBY County, Alabama in Instrument No. 1993-31938, to secure the sum of \$ 94,500.00 plus interest, on the land described therein, and the said lien of the said NATIONS CREDIT shall be subordinate to the mortgage of AMERICAN INDEPENDENT MORTGAGE.

10/14/1993-31939
09:30 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 HCD 11.00

Inst # 1993-31939

It is further agreed that should TOMMY C. SMITH AND JANET L. SMITH default in their payments under the terms of the real estate mortgage to AMERICAN INDEPENDENT MORTGAGE, the said AMERICAN INDEPENDENT MORTGAGE agrees to notify NATIONS CREDIT of said default prior to taking legal action.

IN WITNESS WHEREOF, JOHN H OUTLAW JR, as MANAGER of NATIONS CREDIT has hereunto set his hand and seal this the 29 day of September, 1993.

NATIONS CREDIT

BY: John H. Outlaw
Its: Manager

STATE OF ALABAMA
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for said State and in said County, hereby certify that JOHN H OUTLAW, whose name as MANAGER of Nations Credit, 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 in his capacity as MANAGER of Nations Credit executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 29 day of September, 1993.

Suzanne Johnson
Notary Public
My commission expires: 3-3-97.

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

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