

STATE OF ALABAMA)
JEFFERSON COUNTY)

SUBORDINATION OF MORTGAGE

THIS SUBORDINATION OF MORTGAGE executed this 28th day of September 1993, by **AMSOUTH BANK N.A.** and **DOUGLAS R. BESS** and **BEVERLY K. BESS**.

WITNESSETH:

WHEREAS, Douglas R. Bess and Beverly K. Bess are the owners of the real estate more particularly described as follows:

Lot 3, according to the Survey of Heatherwood 3rd Sector, as recorded in Map Book 8, Page 29 A & B, in the Probate Office of Shelby County, Alabama.

WHEREAS, Douglas R. Bess and Beverly K. Bess heretofore executed a mortgage in favor of AmSouth Bank N.A. filed for record October 22, 1993, recorded in Instrument #1993-24246 in the Probate Office of Shelby County, Alabama; and

WHEREAS, Molton, Allen & Williams is desirous of extending credit to Wanda J. Boles provided that AmSouth Bank N.A. subordinates the lien of the AmSouth Bank N.A. mortgage (equity line of credit); and

WHEREAS, in order to induce Molton, Allen & Williams to make the loan to Douglas R. Bess and Beverly K. Bess, AmSouth Bank N.A. is willing and desirous to subordinate the lien of AmSouth Bank N.A. to the lien of the mortgage of Molton, Allen & Williams dated the 28th day of September, 1993, executed by Douglas R. Bess and Beverly K. Bess, filed for record in the Probate Office of Shelby County, Alabama, in Real Volume 1993, Page 30762.

NOW, THEREFORE, for and in consideration of the premises and of Ten and No/100 Dollars (\$10.00) and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned does hereby covenant, stipulate, warrant and agree as follows:

1. AmSouth Bank N.A. hereby subordinates all its right, title and interest in and to the lien created by the AmSouth Bank N.A. mortgage and other loan documents as defined in the mortgage in favor of Molton, Allen & Williams, its successors and assigns; provided, however, that nothing herein shall be construed to subordinate any rights that Molton, Allen

- 1 -

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SHELBY COUNTY JUDGE OF PROBATE
003 MEL 13.50

Donovan, James Richey
1 Independence Plaza Ste 10
B'ham, AL 35209

Inst # 1993-32896

& Williams may have under its mortgage to any debt owing to Molton, Allen & Williams by the mortgagor in excess of the original loan amount secured by the Molton, Allen & Williams mortgage.

2. Douglas R. Bess and Beverly K. Bess, as mortgagors under the AmSouth Bank N.A. Mortgage, hereby consents to the subordination of the AmSouth Bank N.A. Mortgage to the Molton, Allen & Williams Mortgage.

IN WITNESS WHEREOF, the parties have hereunto caused this Subordination of Mortgage to be executed effective this 22nd day of September, 1993.

MORTGAGORS

Douglas R. Bess
Douglas R. Bess

Beverly K. Bess
Beverly K. Bess

AMSOUTH BANK N.A.

By: Herndolby J. Bell
Its vice president

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **Douglas R. Bess and Beverly K. Bess**, whose names are signed to the foregoing, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the foregoing they executed the same voluntarily on the day the same bears date.

GIVEN under my hand and seal, this 28th day of Sept,
1993.

[NOTARIAL SEAL]

Darrell J. Mackenzie
Notary Public
My Commission Expires: 4/26/94

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Gwendolyn J Bell, whose name as Vice President, of **AmSouth Bank N.A.**, is signed to the foregoing, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the foregoing _____, as such officer, executed the same voluntarily for and as the act of said corporation.

GIVEN under my hand and seal, this 30th day of September, 1993.

[NOTARIAL SEAL]

Cindy J. Trotter
Notary Public

My Commission Expires: 5-21-96

Inst # 1993-32896

- 3 -

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