

49491B
STATE OF ALABAMA

COUNTY OF Shelby

SUBORDINATION AGREEMENT

THIS SUBORDINATION AGREEMENT, made and entered into on this the 13th day of October, 1993 by and between **APCO Employees Credit Union**, as Party of the First Part, and **SouthTrust Mortgage Corporation**, as Party of the Second Part.

WITNESSETH

THAT, WHEREAS, **Mark H. Filkins and Carolyn A. Filkins** have an outstanding mortgage lien in favor of APCO Employees Credit Union dated March 21, 1990, and recorded in the Probate Office of Shelby County, Alabama, in Real Volume 285, page 607; on certain real estate described therein to secure an indebtedness of \$ 25,000, and said lien is in full force and effect, said real property being described as follows:

Lot 2, according to the Survey of Meadow Brook, 13th Sector, as recorded in Map Book 9, page 34, in the Probate Office of Shelby County, Alabama.

Minerals and mining rights excepted.

WHEREAS, Mark H. Filkins and Carolyn A. Filkins, has made an application to the Party of the Second Part for a loan in the sum of \$121650 and said Party of the Second Part is willing to make said loan to the said Mark H. Filkins and Carolyn A. Filkins, provided they furnish is with a first priority mortgage on the lands described in the aforesaid lien, and the said APCO Employees Credit Union subordinate the above described lien and make the same second and subservient to the mortgage of SouthTrust Mortgage Corporation; and WHEREAS, the said Party of the First Part is willing to subordinate its said lien and make the same second and subservient to the mortgage of the said Party of the Second Part as an inducement to it to make said loan.

NOW THEREFORE, in consideration of the premises and the further consideration of the sum of ten and 00/100 (\$10.00), 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 Part of the First Part does hereby agree that the mortgage lien of Mark H. Filkins and Carolyn A. Filkins to APCO Employees Credit Union dated March 21, 1990 and recorded in the Probate Office of Shelby County, Alabama, in Real Volume 285, page 607 shall be second and subservient to the mortgage of Mark H. Filkins and Carolyn A. Filkins to SouthTrust Mortgage Corporation, dated October 13th, 1993 and recorded in the Probate Office of Shelby County, Alabama in INSTRUMENT 1993-33168, to secure the sum of \$121650, plus interest, on the land described therein, and the said lien of the said APCO Employees Credit Union shall be subordinate to the mortgage of SouthTrust Mortgage Corporation.

IN WITNESS WHEREOF, the said APCO Employees Credit Union, has caused this instrument to be executed by its duly authorized officer names hereinbelow on this the 13th day of October, 1993.

APCO Employees Credit Union

By: V. Merrill Mann
As Its: Vice President

State of Alabama
Jefferson County

I, the undersigned, a Notary Public in and for said State and in said County, hereby certify that V. MERRILL MANN whose name as VICE PRESIDENT of APCO Employees Credit Union, is signed to the foregoing subordination agreement, and who is known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, the same was executed voluntarily on the day the same bears date for and on behalf of said corporation.

GIVEN under my hand and official seal on this the 29th day of OCTOBER, 1993.

[Signature]
Notary Public

My commission expires: 3-14-94

This instrument was prepared by:
Thomas E. Norton, Jr.
Attorney at Law
2700 Highway 280 South
Birmingham, Alabama 35223

Inst # 1993-37252

11/23/1993-37252
08:59 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MEL 8.50