

THIS INSTRUMENT WAS PREPARED BY:

Name: Karen Coalson COMPASS BANK

505 N 20th ST

Address: Bham, AL 35203

01/07/1994-00573
09:26 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
002 MCD 11.00

STATE OF ALABAMA)

COUNTY OF Jefferson)

SUBORDINATION OF EQUITY LINE OF CREDIT MORTGAGE

~~CENTRAL BANK~~ COMPASS BANK ("Central"), for good and valuable consideration, does hereby acknowledge and agree that the lien of that certain Equity Line of Credit Mortgage dated August 24, 19 92 from Steven G McKinney & Diane McKinney, as mortgagor (the "Mortgagor," whether one or more), to Central, as mortgagee, recorded in the office of the Judge of Probate of Shelby County, Alabama at Inst.# 1991-19701, Book 1991-19701, Page , (the "Equity Line Mortgage"), shall be and hereby is subordinate in right of priority to the lien of that certain mortgage from the Mortgagor, as mortgagor, to Castle Mortgage Corp., as mortgagee (the "Mortgagee"), to be recorded in the office of the Judge of Probate of Jefferson County, Alabama (the "Superior Mortgage"); provided, however, that such subordination shall be effective only to the extent that the Superior Mortgage secures that certain loan from Mortgagee to Mortgagor in the principal amount of \$ 400,000.00 (the "Loan"), together with interest on the Loan and any amounts specifically secured by the Superior Mortgage which are expended by the Mortgagee to protect or enforce the Mortgagee's rights under the Superior Mortgage with respect to the Loan (the "Superior Indebtedness"). The lien of the Equity Line Mortgage shall be superior in right of priority to the lien of the Superior Mortgage to the extent that the Superior Mortgage secures any indebtedness of the Mortgagor to the Mortgagee other than the Superior Indebtedness.

To induce Central to enter into this Subordination Agreement, Mortgagee hereby certifies to Central as follows:

(1) that the proceeds of the Loan shall be used to satisfy in full all indebtedness secured by that certain mortgage dated August 20, 19 92, from Steven G McKinney & N Diane McKinney as mortgagor, to First Commercial Mortgage Corp., as mortgagee, recorded in the office of the Judge of Probate of Shelby County, Alabama at INST# 1992-17677, page ;

(2) that the Loan shall bear a(n) fixed interest rate of 6.62 % per annum and shall be repayable in monthly installments at a(n) fixed amount of \$ 3511.98, beginning February 1, 19 94 and continuing until January 1, 2009, ~~xxx~~; and

(3) that the street address of the real property to be covered by the Superior Mortgage is 333 Turnberry Rd. Bham, Alabama 35243.

The provisions of this Subordination Agreement are solely for the benefit of Central and Mortgagee, and shall not be deemed to modify any of the agreements executed and delivered in connection with the Equity Line Mortgage or the Superior Mortgage or to waive any of the rights of Central or Mortgagee, as the case may be, thereunder, as against the Mortgagor, nor shall it constitute or give rise to any defense, right of offset or counterclaim by Mortgagor.

Inst # 1994-00573

This Subordination Agreement may be amended or modified only by written instrument signed by Central and Mortgagee.

IN WITNESS WHEREOF, Central has caused this Subordination Agreement to be executed as of the 20th day of December, 19 93.

~~CENTRAL BANK~~ COMPASS BANK

By: [Signature]
Its Loan Officer

By: _____
Its _____

STATE OF ALABAMA)

COUNTY OF Jefferson)

I, Karen Coalson, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Robert Pless, whose name as is of ~~XXXXX~~ Compass Bank, a(n) 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 foregoing instrument, he, 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 on this the 20th day of December, 19 93.

[NOTARIAL SEAL]

[Signature]
Notary Public
My Commission Expires: 5-23-94

STATE OF _____)

COUNTY OF _____)

I, _____, the undersigned, a Notary Public in and for said County in said State, hereby certify that _____, whose name as _____ of _____, a(n) _____, 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, he, as such officer and with full authority, executed the same voluntarily for and as the act of said _____.

Given under my hand and official seal this the _____ day of _____, 19 _____.

[NOTARIAL SEAL]

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