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Ms. Barbara Logan
c/o First Commercial Bank
P. O. Box 11746
Birmingham, AL 35202-1746

STATE OF ALABAMA
JEFFERSON COUNTY

SUBORDINATION OF MORTGAGE

THIS SUBORDINATION OF MORTGAGE executed this 11th day of October, 1993; by FIRST COMMERCIAL BANK ("First Commercial"), David M. Osborne and wife, Rhonda B. Osborne ("Osbornes").

W I T N E S S E T H:

WHEREAS, Osbornes are the owners of the real estate more particularly described as follows:
Lot 6, according to the Survey of First Addition to Riverchase West, as recorded in Map Book 7, Page 2, in the Office of the Judge of Probate of Shelby County, Alabama.

WHEREAS, Osbornes heretofore executed a mortgage in favor of First Commercial Bank, filed for record April 12, 1990, recorded in Real Volume 286, Page 947-950** in the Probate Office of Shelby County, Alabama (the "First Commercial Mortgage"); and

WHEREAS, Osbornes now desire to obtain a mortgage loan from First Capital Mortgage Corporation (the "First Capital Mortgage") in the principal amount of \$75,000.00; and

WHEREAS, First Capital Mortgage Corporation is desirous of extending credit to Osbornes provided that First Commercial subordinates the lien of the First Commercial Mortgage; and

WHEREAS, in order to induce First Capital Mortgage Corporation to make the loan to Osbornes, First Commercial is willing and desirous to subordinate the lien of the First Commercial Mortgage to the lien of the mortgage of First Capital Mortgage Corporation dated 11th day of October, 1993, executed by Osbornes, filed for record in the Probate Office of Shelby County, Alabama, in Real Volume Instrument # 1993-33670.

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 do hereby covenant, stipulate, warrant and agree as follows:

1. First Commercial hereby subordinates all its right, title and interest in and to the lien created by the First Commercial Mortgage and other loan documents as defined in the mortgage in favor of First Capital Mortgage Corporation its successors and assigns; provided, however, that nothing herein shall be construed to subordinate any rights that First Commercial may have under its mortgage to any debts owing to First Capital Mortgage Corporation by the Osbornes in excess of the original \$ 75,000.00 secured by the First Capital Mortgage.

2. Osbornes, as mortgagors under the First Commercial Mortgage, hereby consent to the subordination of the First Commercial Mortgage to the First Capital Mortgage.

**also, that document entitled "Subordination of Mortgage" dated March 26, 1992, filed for record July 8, 1992, as Instrument #1992-13394 in the Probate Office of Shelby County, Alabama.

01/10/1994-00796
10:13 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 11.00

Inst # 1994-00796

IN WITNESS WHEREOF, the parties have hereunto caused this Subordination of Mortgage to be executed effective this 11th day of October, 1993.

X David M. Osborne David M. Osborne

XX Rhonda B. Osborne Rhonda B. Osborne

FIRST COMMERCIAL BANK

BY: Barbara Logan Barbara Logan
ITS: Private Banking Officer

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that David M. Osborne and wife, Rhonda B. Osborne whose names are signed to the foregoing Subordination, and who are known to me, acknowledged before me on this day that, being informed of the contents of the Subordination, have executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 11th day of October, 1993.

Marie J. Watkins
NOTARY PUBLIC

STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Barbara Logan, whose name as Private Banking Officer, of FIRST COMMERCIAL BANK, is signed to the foregoing Subordination, and who is known to me acknowledged before me this day that, being informed of the contents of said instrument, has as such officer, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 11th day of October, 1993.

Beverly W. Shelton
NOTARY PUBLIC

My Commission Expires July 12, 1994

Inst # 1994-00796

01/10/1994-00796
10:13 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 11.00