

SUBORDINATION AGREEMENT

STATE OF ALABAMA
COUNTY OF JEFFERSON

THIS SUBORDINATION AGREEMENT, made and entered into this the 13th day of January, 1994, by and between AmSouth Bank, N.A., and SouthTrust Mortgage Corporation.

WITNESSETH THAT, WHEREAS Barry E. Vickery and wife, Donna D. Vickery, have an outstanding mortgage lien in favor of AmSouth Bank, N. A., as recorded in Real 329, page 821, in the Probate Office of Shelby County, Alabama, on that certain real property described hereinafter to secure an indebtedness in the amount of \$50,000.00, and said lien is in full force and effect, said real property being more particularly described as follows:

Lot 6, according to the Map of Cahaba River Estates, as recorded in Map Book 3, page 11, in the Probate Office of Shelby County, Alabama.

WHEREAS, AmSouth Bank, N.A., does hereby agree to decrease said loan amount down to \$20,000.00 as to the total amount of available indebtedness.

and,

WHEREAS, Barry E. Vickery and wife, Donna D. Viickery, (hereinafter "Borrower", whether one or more), has/have made an application to SouthTrust Mortgage Corporation for a loan in the sum of \$ 100,000.00 is willing to make said loan to Borrower provided he/she/they furnish it with a mortgage on the lands described in the aforesaid lien, and further provide that AmSouth Bank, N. A. subordinate the above described lien and make the same second and subservient to the mortgage of SouthTrust Mortgage Corporation and;

WHEREAS, it is the desire and intention of the parties hereto to subordinate the lien, operation and effect of the above described mortgage in favor of AmSouth Bank, N. A. for the full balance thereof, to the lien and operation of the aforesaid mortgage of SouthTrust Mortgage Corporation in order that last said lien and mortgage shall become a lien of first priority on the real property described hereinabove, and further, that the lien and mortgage in favor of AmSouth Bank, N. A. shall be, and the same are by these presents made, second, junior and subservient to that lien and mortgage of SouthTrust Mortgage Corporation in every manner whatsoever,

NOW THEREFORE, in consideration of the premises and the sum

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SHELBY COUNTY JUDGE OF PROBATE
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STEWART TITLE

Inst # 1994-02608

of \$ -0- , receipt of which is acknowledged, the undersigned as parties hereto, do hereby agree that the mortgage lien of Barry E. Vickery and wife, Donna D. Vickery to AmSouth Bank, N. A., dated February 19th, 1991, and recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Real 329 , page 821 shall be second and subservient to that certain first mortgage of Barry E. Vickery and wife, Donna D. Vickery to SouthTrust Mortgage Corporation, dated January 13, 1994 and recorded in Instrument # 1994-02607 in the Probate Office of Shelby County, Alabama, to secure the sum of \$100,000.00, plus interest thereon, said lien of being subordinated to the first mortgage of SouthTrust Mortgage Corporation.

IT IS FURTHER AGREED that should Barry E. Vickery and wife, Donna D. Vickery , default in his/her/their payments under the terms and conditions of the Note of Mortgage held by AmSouth Bank, N. A., that said AmSouth Bank, N. A. agrees to notify SouthTrust Mortgage Corporation of said default thirty (30) days prior to taking any legal action of said default.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the the 13th day of January, 1994.

AMSOUTH BANK, N. A.

BY: Sandy Ray
ITS: Bank Officer

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public, in and for said County, in said State, hereby certify that Sandy Ray whose named as Bank Officer of AmSouth Bank, N. A. , 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 this instrument he/she 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, this the 13 day of January 1994.

Linda K. Jones
NOTARY PUBLIC

MY COMMISSION EXPIRES: 11-19-94 01/25/1994

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