

STATE OF ALABAMA

JEFFERSON COUNTY

**SUBORDINATION AGREEMENT**

This agreement made and entered into this 2nd day of February, 1994, by and between Anthony J. DiPiazza and wife, Pamela C. DiPiazza, (hereinafter collectively called Mortgagor,) and SouthTrust Bank of Alabama, National Association (hereinafter called Mortgagee).

**WITNESSETH**

Whereas, the Mortgagor executed a mortgage to the Mortgagee, said mortgage being recorded in Real Volume 117, Page 812 and amended in Real Volume 370, Page 899, in the Office of the Judge of Probate of Shelby County, Alabama, and conveyed the following described property:

Lot 31, according to the Survey of Second Addition to Riverchase West, as recorded in Map Book 7, Page 59, in the Probate Office of Shelby County, Alabama. Minerals and mining rights excepted.

Whereas it is and was the intent and desire of the Mortgagor and Mortgagee that the aforesaid mortgage to the Mortgagee be subordinated in all respects to the mortgage executed in favor of AmSouth Mortgage Company, Inc. dated February 2, 1994, in the amount of \$57,000.00.

Now, therefore, in consideration of the premises and other good and valuable consideration, the sufficiency is hereby acknowledged, the parties agree as follows:

SouthTrust Bank of Alabama, National Association does hereby fully subordinate and does declare to be subordinate the lien of the aforesaid mortgage recorded in Real Volume 117, Page 812, and amended in Real Volume 370, Page 899 in the Office of the Judge of Probate of Shelby County, Alabama, to the mortgage being recorded in Instrument No.: 1994-05476, in the Office of the Judge of Probate of Shelby County, Alabama.

Inst # 1994-05482

02/18/1994-05482  
09:07 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.00

In witness whereof, the parties hereunto set their hand and seals as of the date and year stated above.

**MORTGAGEE:**

SouthTrust Bank of Alabama  
National Association

By: Frank K. Battle  
Its: Assistant Vice President

**MORTGAGOR:**

Anthony J. DiPiazza  
Anthony J. DiPiazza

Pamela C. DiPiazza  
Pamela C. DiPiazza

**ACKNOWLEDGMENT**

I, the undersigned, a Notary Public in and for said County and State, hereby certify that Frank K. Battle, whose name as Assistant Vice President, of SouthTrust Bank of Alabama, National Association, is signed to the foregoing instrument, and 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 SouthTrust Bank of Alabama, National Association.

Given under my hand and official seal this 10th day of February, 1994.

Andrea H. McNamee  
NOTARY PUBLIC 02/18/1994-05482 09:07 AM SHELBY COUNTY 002 MCD

My Commission Expires: My Commission Expires August 9, 1997

STATE OF ALABAMA

JEFFERSON COUNTY

02/18/1994-05482  
09:07 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.00

I, the undersigned, a Notary Public in and for said County and State, hereby certify that Anthony J. DiPiazza and wife, Pamela C. DiPiazza, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed same voluntarily on the day the same bears date.

Given under my hand and official seal this 2 day of February, 1994.

NOTARY PUBLIC

My Commission Expires: 10-24-95

Inst # 1994-05482