

THE STATE OF ALABAMA )  
COUNTY OF SHELBY )

SUBORDINATION AGREEMENT

KNOW ALL MEN BY THESE PRESENT:

WHEREAS, the undersigned, AmSouth Bank, N.A. and Robert F. Selman and spouse, Patricia Malin Selman acknowledge that debt secured by that certain Mortgage from Robert F. Selman and spouse, Patricia Malin Selman to Jefferson Federal Savings and Loan Association of Birmingham and transferred and assigned to AmSouth Bank N.A. on the following described real estate situated and being in Shelby County, Alabama, to wit:

Lot 3, according to the Survey of Brookhaven, Sector I, as recorded in Map Book 10, Page 24, in the Probate Office of Shelby County, Alabama.

WHEREAS, the undersigned, understand and agree that the debt secured by that certain Mortgage filed for record November 22, 1988 from Robert F. Selman and spouse, Patricia Malin Selman to Jefferson Federal Savings and Loan Association of Birmingham, recorded in Real Volume 214, Page 782 and transferred and assigned to AmSouth Bank, N.A. by instrument recorded in 1992-23026, in the Office of the Judge of Probate of Shelby County, Alabama, shall be second, subordinate and inferior to that certain Mortgage dated March 30, 1994, executed by Robert F. Selman and spouse, Patricia Malin Selman to Compass Bank recorded in Instrument \_\_\_\_\_, in the Office of the Judge of Probate of Shelby County, Alabama, in the principal amount of \$66,000.00.

ANY DEFAULT under the terms of that certain Mortgage recorded in Instrument 1994-11069 in the Office of the Judge of Probate of Shelby County, Alabama (first mortgage) or the obligation secured thereby, shall constitute a default of that Mortgage recorded in Real Volume 214, Page 782 and transferred and assigned to AmSouth Bank, N.A. by instrument recorded in 1992-23026, in the Office of the Judge of Probate of Shelby County, Alabama.

IN WITNESS WHEREOF, AmSouth Bank, N.A., through its authorized individual, and Robert F. Selman and spouse, Patricia Malin Selman hereunto have set their hands and seals this 30th day of March, 1994.

AmSouth Bank N.A.

Inst # 1994-11070  
04/05/1994-11070  
02:45 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
DOE HED 11.00

By: Sandy Ray (SEAL)  
Its: Loan Officer

Robert F. Selman (SEAL) Patricia Malin Selman (SEAL)  
Robert F. Selman Patricia Malin Selman

THE STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

BEFORE ME, the undersigned authority, duly authorized to administer oaths and take acknowledgments, personally appeared Sandy Ray, and acknowledged the foregoing in his/her capacity as same for the purposes herein described this the 30th day of March, 1994.

Raven Sue Underwood

NOTARY PUBLIC

My commission expires: MY COMMISSION EXPIRES JUNE 23, 1997.

THE STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Robert F. Selman and spouse, Patricia Malin Selman, whose names are signed to the foregoing, and who are known to me, acknowledged before me on this day, that being informed of the contents of said instrument, they executed the same voluntarily.

Given under my hand and seal of office, this 30th day of March, 1994.

Raven Sue Underwood

NOTARY PUBLIC

My commission expires: MY COMMISSION EXPIRES JUNE 23, 1997

THIS INSTRUMENT WAS PREPARED BY: Richard W. Theibert, Attorney  
NAJJAR DENABURG, P.C.  
2125 Morris Avenue, Birmingham, Alabama 35203  
(205) 250-8400

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