

STATE OF ALABAMA
SHELBY COUNTY

DECLARATION OF SUBORDINATION

THIS INSTRUMENT SERVES TO DECLARE THAT CERTAIN MORTGAGE, FROM JACK L. HERNIG, III AND HIS WIFE, JAN C. HERNIG, TO FIRST CAPITAL MORTGAGE CORPORATION, AND BEING TRANSFERRED AND ASSIGNED TO NEW SOUTH FEDERAL SAVINGS BANK, HELD BY THE UNDERSIGNED, WHICH SAID MORTGAGE IS RECORDED IN REAL VOLUME 291, PAGE 505, AND ASSIGNMENT BEING RECORDED IN REAL VOLUME 291, PAGE 510, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, SHALL BE AND IS DECLARED TO BE SECOND AND SUBORDINATE TO THE FOLLOWING DESCRIBED MORTGAGE:

THAT CERTAIN MORTGAGE FROM JACK L. HERNIG, III AND HIS WIFE, JAN C. HERNIG, GIVEN TO REAL ESTATE FINANCING, INC. IN THE AMOUNT OF ONE HUNDRED FIFTY THOUSAND FOUR HUNDRED AND 00/100 (\$150,400.00), WHICH SHALL BE AMORTIZED OVER THIRTY (30) YEARS AT SIX AND THREE-QUARTERS PERCENT (6.75%) INTEREST AND RECORDED IN INSTRUMENT 1993-38409, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 98, ACCORDING TO THE SURVEY OF BROOK HIGHLAND, 3RD SECTOR, AS RECORDED IN MAP BOOK 12, PAGE 64 A & B, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

IN WITNESS WHEREOF THIS INSTRUMENT HAS BEEN EXECUTED ON THIS THE 31 DAY OF MARCH, 1994.

NEW SOUTH FEDERAL SAVINGS BANK

BY:


LARRY NELSON
ITS VICE PRESIDENT

STATE OF ALABAMA
COUNTY OF Jefferson

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, HEREBY CERTIFY THAT LARRY NELSON, WHOSE NAME AS VICE-PRESIDENT OF NEW SOUTH FEDERAL SAVINGS BANK, A CORPORATION EXISTING UNDER THE LAWS OF THE STATE OF ALABAMA, 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 CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 31st DAY OF MARCH, 1994.

MY COMMISSION EXPIRES:

7/23/94


NOTARY PUBLIC

Inst # 1994-11694

04/08/1994-11694
02:50 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 NCD 8.50

CLAYTON T. SWEENEY, ATTORNEY AT LAW

Inst # 1994-11694