

SUBORDINATION OF MORTGAGE

State of Alabama  
Jefferson County

December 29, 1993

Before me, the undersigned notary public did appear SANDY RAY  
as LOAN OFFICER of AmSouth Bank, N. A., with full authority to do  
so did say as follows:

AmSouth Bank N.A. is the owner of that mortgage filed for record  
Real 256 page 177, amended in Real 360 page 772 and further amended  
in Instrument 1993-28049, in the Probate Office of Shelby County,  
Alabama.

For valuable consideration and in order to induce Johnson &  
Associates, Inc. to grant a first mortgage on the property known  
as:

LEGAL DESCRIPTION: See Attached.

AmSouth Bank N. A. hereby subordinates its mortgage referred to  
above to a certain new mortgage given to Johnson & Associates, Inc.  
executed by William M. Gunn and Elizabeth W. Gunn on November 22,  
1993 in the principal amount of \$150,000.00. The mortgage of  
AmSouth Bank, N.A. shall hereinafter be inferior to that mortgage  
of Johnson & Associates, Inc.

Sandy Ray  
LOAN OFFICER for AmSouth Bank N.A.

State of Alabama  
County of Jefferson

I, the undersigned, a notary public in and for said county  
and state hereby certify that Sandy Ray as  
LOAN OFFICER of AmSouth Bank N.A. and with full authority to execute  
this instrument and with full authority to do so as the act of  
AmSouth Bank, N.A., and whose name 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  
executed the same voluntarily on the day that the same bears date.

Given under my hand and seal this 7TH day of JUNE  
1994.

Linda K Jones  
Notary Public  
My Commission Expires: 11-19-94  
-ost # 1994-20021.

06/23/1994-20021  
02:18 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.00

Mark Tippins

## EXHIBIT "A"

Part of the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 24, Township 18 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

From the NW corner of said NW $\frac{1}{4}$  of SW $\frac{1}{4}$  run in a Southerly direction along the West line of said  $\frac{1}{4}$ - $\frac{1}{4}$  Section for a distance of 138.65 feet to a point on the centerline of Dunavant Valley Road; thence turn an angle to the left of 136°27'30" and run in a Northeasterly direction along said centerline of Dunavant Valley Road for a distance of 876.15 feet; thence turn an angle to the right of 90° and run in a Southeasterly direction for a distance of 390.00 feet; thence turn an angle to the right of 48°29' and run in a Southerly direction for a distance of 230.00 feet to an existing point "A"; thence continue along last described course for a distance of 285 feet, more or less, to a point on the North line of existing Smyer Lake; being the point of beginning; thence turn an angle to the right of 180° and run in a Northerly direction for a distance of 285.00 feet to existing point "A"; thence turn an angle to the right of 88°40' and run in an Easterly direction for a distance of 300.00 feet; thence turn an angle to the right of 91°35'30" and run in a Southerly direction for a distance of 315 feet; more or less, to a point on the North line of said Smyer Lake; thence turn an angle to the right and run in a Southwesterly, Westerly and Northwesterly direction along the North line of said lake for a distance of 370 feet, more or less, to the point of beginning.

Together with an Easement across Parcel "A" and Parcel "B" also owned by William M. Gunn and Elizabeth W. Gunn, described as follows:

## PARCEL A:

Begin at a point 1226.51 feet Northeasterly of the intersection of the West line of Section 24, Township 18 South, Range 1 West with the center line of Shelby County Road 41, thence run Southeasterly to the Southeast side of said road; run thence in a Southeasterly direction at a 90° angle to the centerline of said road a distance of 500 feet to the point of beginning; from the point of beginning turn an angle of 90° to the left and run a distance of approximately 360 feet to the Westerly side of a private road; thence run in a Southeasterly direction along said private road a distance of approximately 220 feet to the most Northeasterly corner of land conveyed by Ingrid L. Smyer to Harold H. Goings and Hubert W. Goings, Jr. in August 1980; thence run in a Westerly direction 229.99 feet, 69.93 feet and 147.97 feet along the Northerly line of said land conveyed to Goings to its most Westerly corner; thence in a Northwesterly direction 113 feet to the point of beginning.

## PARCEL B:

Part of the South  $\frac{1}{2}$  of the NW $\frac{1}{4}$  and part of the North  $\frac{1}{2}$  of SW $\frac{1}{4}$ , both in Section 24, Township 18 South, Range 1 West, Shelby County, Alabama, said parts being more particularly described as follows:

From the Northwest corner of the Southwest  $\frac{1}{4}$  of said Section 24, run South along the West line of said Section for a distance of 138.65 feet to a point in the centerline of Dunavant Valley Road; thence turn an angle to the left of 136°27'30" and run Northeasterly along said road centerline for a distance of 876.15 feet; thence turn an angle to the right of 90° and run Southeasterly for a distance of 390 feet to a point which is hereinafter referred to as "Point C"; thence turn an angle to the right of 48°29' and run Southerly for a distance of 515 feet, more or less, to a point on the line of high water level of Great Pine Lake which is hereinafter referred to as "Point D"; said point being the point of beginning of the property here described; thence from said point of beginning turn an angle of 180°00' and run in a Northwesterly direction for a distance of 515 feet, more or less; to the above described "Point C"; then turn an angle to the left of 48°29' and run Northwesterly for a distance of 360 feet to a point on the Southeasterly right of way line of said Dunavant Valley Road; thence turn an angle to the right of 90° and run Northeasterly for a distance of 350 feet along said Southeast right of way line; thence turn an angle to the right of 90° and run Southeasterly for a distance of 916.76 feet; thence turn an angle to the right of 39°21.5' and run Southerly for a distance of 100 feet, more or less, to a point on the line of high water level of Great Pine Lake; thence run Southwesterly and Westerly along said line of high water level for a distance of 930 feet, more or less, to the point of beginning, which is described above as "Point D" dated in Shelby County, Alabama.

06/23/1994 2002  
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