

## SUBORDINATION OF MORTGAGE

STATE OF ALABAMA     )  
                                  )  
SHELBY COUNTY         )

THIS SUBORDINATION OF MORTGAGE is made as the 29 day of DECEMBER, 1995, by THORNTON PROPERTIES, an Alabama general partnership, whose general partners are THOMAS J. THORNTON and PATRICK A. THORNTON.

### WITNESSETH:

WHEREAS, by mortgage dated April 12, 1994 and recorded as Document No. 1994-35325, in the Probate Office of Shelby County, Alabama, WEATHERLY INVESTMENT GROUP, L.L.C. has conveyed to THORNTON PROPERTIES, title to certain real property located in Shelby County, Alabama which is more particularly described on Exhibit "A" attached hereto and made a part hereof (the "Property"); and

WHEREAS, Steven E. Chambers and Caryn H. Chambers have a purchase money loan to WEATHERLY INVESTMENT GROUP, L.L.C. to be secured by a mortgage of even date herewith, but only on the condition that THORNTON PROPERTIES subordinate its mortgage to the said mortgage; and

WHEREAS, a Covenant and Agreement for Water Service and Tap Fees has been executed this date;

NOW, THEREFORE, in consideration of the premises, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, THORNTON PROPERTIES does hereby covenant, consent and agree that the lien of the mortgage of THORNTON PROPERTIES be, and the same hereby is, made subordinate, inferior and subject in every respect to all liens and mortgages of Steven E. Chambers and Caryn H. Chambers, and to all renewals, replacements, consolidations, modifications, assignments and extensions thereof including any extensions of credit intended to be secured thereby, such as, but not limited to, any future advances, and, the Covenant and Agreement for Water Service and Tap Fees executed this date.

IN WITNESS WHEREOF, the undersigned has caused this Subordination of Mortgage to be executed under seal on the day and year first above written.

THORNTON PROPERTIES

By: Thomas J. Thornton  
Its General Partner

12/29/1995-37297  
10:35 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 13.50

1995-37297

STATE OF ALABAMA )  
 )  
JEFFERSON COUNTY )

I, the undersigned Notary Public in and for said County in said State, hereby certify that Thomas J. Thornton, whose name as General Partner of Thornton Properties, an Alabama general partnership, is signed to the foregoing Subordination of Mortgage, and who is known to me, acknowledged before me on this day that, being informed of the contents of said document, he, as such General Partner and with full authority, executed the same voluntarily for and as the act of said partnership.

Given under my hand and official seal this the 29 day of DECEMBER, 1995.

Maie E. Edson  
 Notary Public  
 My Commission Expires: \_\_\_\_\_

**NOTARY PUBLIC STATE OF ALABAMA AT LARGE.**  
**MY COMMISSION EXPIRES: July 3, 1997.**  
**BONDED THROUGH NOTARY PUBLIC UNDERWRITERS.**

EXHIBIT "A"

Parcel 1 (Kimberly Clark 1330)

All of Section 28, Township 20 South, Range 2 West, situated in Shelby County, Alabama. Less and except the Northwest Quarter of the Northwest Quarter, and

The North one-fourth of Section 33, Township 20 South, Range 2 West, and

The North one-half of the Northwest Quarter and the Northeast Quarter of the Northeast Quarter of Section 32, Township 20 South, Range 2 West and

The South one-half of Section 31, Township 20 South, Range 2 West, and

The East one-half of the Northeast Quarter of Section 31, Township 20 South, Range 2 West, less and except that portion known as Survey of Weatherly-Windsor Sector 11, as recorded in Map Book 18, Page 80, in the Probate Office of Shelby County, Alabama, and less and except that portion owned by Durall Dobbins,

all of said parcels are situated in Shelby County, Alabama.

Parcel 2 (Martin)

The Northwest Quarter of the Northeast Quarter of Section 32, Township 20 South, Range 2 West, and

The Southwest 1/4 of the Northwest 1/4 and the West one-half of the Southeast 1/4 of the Northwest 1/4, all in Section 32, Township 20 South, Range 2 West, all of said parcels are situated in Shelby County, Alabama.

Parcel 3 (Bettini)

A parcel of land situated in Section 33, Township 20 South, Range 2 West, and being more particularly described as follows:

Begin at the NW corner of the SW1/4 of NW1/4 of Section 33, Township 20 South, Range 2 West; thence S 87 degrees 34' 13" East a distance of 3000.00'; thence S 54 degrees 23' 13" West a distance of 3730.91'; thence N 0 degrees 53' 51" East a distance of 983.26'; thence N 0 degrees 53' 17" East a distance of 1316.74' to the point of beginning.

Wig-sc

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