

THIS INSTRUMENT PREPARED BY:  
R. Shan Paden, Attorney at Law  
100 Concourse Parkway, Suite 130  
Birmingham, Alabama 35244

Inst # 1996-01400

SUBORDINATION AGREEMENT  
01/16/1996-01400  
12:06 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.00

STATE OF ALABAMA  
COUNTY OF JEFFERSON

This Subordination Agreement, made and entered into on this the 28<sup>th</sup> day of DECEMBER, 1995, by and between AMSOUTH BANK N.A., as Party of the First Part, and CASTLE MORTGAGE CORPORATION, as Party of the Second Part.

W I T N E S S E T H

THAT, WHEREAS, ROBERT GARY GOFF AND LINDA D. GOFF, HUSBAND AND WIFE, has/have an outstanding loan in favor of AMSOUTH BANK N.A., as set forth in INSTRUMENT # 1994-34665, in the Office of the Judge of Probate of Shelby County, Alabama on that certain real estate located at 505 BAYHILL ROAD, BIRMINGHAM, ALABAMA 35244 to secure an indebtedness of \$55,000.00 and said lien is in full force and effect; and,

WHEREAS, ROBERT GARY GOFF AND LINDA D. GOFF has/have made an application to the Party of the Second Part for a loan in the sum of \$207,000.00 and said Party of the Second Part is willing to make said loan to the said ROBERT GARY GOFF AND LINDA D. GOFF, provided they furnish it with a mortgage on the lands described in the aforesaid lien, and the said AMSOUTH BANK N.A., subordinate the above described lien and make the same second and subservient to the mortgage of CASTLE MORTGAGE CORPORATION; and,

WHEREAS, the said Party of the First Part is willing to subordinate its said lien and make it second and subservient to the mortgage of the said Part of the Second Part as an inducement to it to make said loan.

NOW, THEREFORE, in consideration of the premises and further consideration of the sum of -0-, cash in hand paid, the Party of the First Part by the Party of the Second Part, the receipt of which is hereby acknowledged, the said Party of the First Part does hereby agree that the lien of ROBERT GARY GOFF AND LINDA D. GOFF to AMSOUTH BANK N.A., recorded in the Probate Office of SHELBY County, Alabama in INSTRUMENT # 1994-34665, shall be second and subservient to the mortgage of ROBERT GARY GOFF AND LINDA D. GOFF to CASTLE MORTGAGE CORPORATION and recorded in the Probate Office of SHELBY County, Alabama, in INSTRUMENT # 1995-1399, to secure the sum of \$207,000.00, plus interest, on the land described therein,

and the said lien of the said AMSOUTH BANK N.A., shall be subordinate to the mortgage of CASTLE MORTGAGE CORPORATION.

IT IS FURTHER agreed that should ROBERT GARY GOFF AND LINDA D. GOFF default in his/her/their payments under the terms of the real estate mortgage to CASTLE MORTGAGE CORPORATION, the said CASTLE MORTGAGE CORPORATION agrees to notify AMSOUTH BANK N.A. of said default prior to taking legal action.

IN WITNESS WHEREOF, SANDY RAY, as ASST. VICE PRESIDENT of said AMSOUTH BANK N.A. has caused her/his name to be hereunto signed on this the 28<sup>TH</sup> day of DECEMBER, 1995.

AMSOUTH BANK N.A.

BY: Sandy Ray  
Asits: ASSISTANT VICE PRESIDENT

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said State and County, hereby certify that SANDY RAY, whose name as ASST. VICE PRESIDENT of AMSOUTH BANK N.A., a signed to the foregoing subordination agreement, and who is known to me, acknowledged before me on this day, that, being informed of the contents of this subordination agreement and with full authority as such officer, executed the same voluntarily.

Given under my hand and seal this 28<sup>TH</sup> day of DECEMBER, 1995.

[Signature]  
Notary Public

My commission expires: Notary Public, Alabama, Commission No. 11111

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