

## **SUBORDINATION AGREEMENT**

THIS SUBORDINATION OF MORTGAGE executed this 15th day of February 1996 by First Alabama Bank (hereinafter referred to as the "Mortgagee").

### **"WITNESSETH"**

WHEREAS, Mortgagee is the owner and holder of that certain mortgage from Donald H. Barringer and wife, Jane Barringer (with a maximum line of \$75,000.00 available to draw being amended and reduced to \$70,000.00) to First Alabama Bank recorded in Book 267, Page 805 the Probate Office of Shelby County, Alabama, (Amended on January 7, 1993 in favor of Central Bank of the South but not recorded) being more particularly described as follows:

Lot 5, Block 1, according to the Survey of Kirkwall as recorded in map Book 6, Page 152 A & B in the Probate Office of Shelby County, Alabama.

WHEREAS, Compass Bank, their successors and/or assigns, is making a mortgage loan to Donald H. Barringer and Wife, Jane Barringer (to refinance the original first mortgage loan to Compass Bank, Formerly Known as Central Bank of the South) recorded in Instrument No. 1993-02321 in the Probate office of Shelby County, Alabama) in the amount of \$140,000.00 said loan secured by a mortgage which shall encumber the above described real Property:

WHEREAS, Compass Bank, their successors and/or assigns, as a condition for making a new mortgage loan, requires Mortgagee to subordinate the lien of its mortgage to the lien of the new Compass Bank, their successors and/or assigns, and mortgagee has agreed to do so.

NOW, THEREFORE, for and in consideration of the premises hereof and of the mutual advantages and benefits accruing to the parties hereto, and in further consideration of the sum of TEN DOLLARS in hand paid by Compass Bank, their successors and/or assigns, to Mortgagee, the receipt and sufficiency of which is hereby acknowledged, Mortgagee does hereby covenant, consent and agree to and with Compass Bank, their successors and/or assigns, that the lien of First Alabama Bank, shall be and the same is hereby made subordinate, inferior and subject in every respect to the lien of Compass Bank, their successors and/or assigns, which was granted by Donald H. Barringer and wife, Jane Barringer, to refinance the original first mortgage recorded in Instrument No. 1993-02321 in the Probate Office of Shelby County, which encumbers the above described property provided, however that this subordination is limited to the amount of \$140,000.00.

Inst # 1996-07976

03/11/1996-07976  
01:59 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.00

Inst # 1996-07976

IN WITNESS WHEREOF, this agreement is executed the day and year first written above.

Signed, sealed and delivered  
in the presence of:

Kathy Brewster

FIRST ALABAMA BANK

BY:

Dolly B. Young  
Dolly B. Young  
Vice President

STATE OF ALABAMA

COUNTY OF JEFFERSON

The foregoing instrument was acknowledged before me this 15th day of February, 1996 by Dolly B. Young, Vice President of First Alabama Bank, Mountain Brook Branch, on behalf of the bank.

Marta S. Herin  
Notary Public

My Commission Expires: 3-18-98

MY COMMISSION EXPIRES MARCH 18, 1998

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01:59 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
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