

SUBORDINATION AGREEMENT

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THIS SUBORDINATION OF MORTGAGE executed this 15th, day of November 1995 by First Alabama Bank (hereinafter referred to as the "Mortgagee").

"WITNESSETH"

WHEREAS, Mortgagee is the owner and holder of that certain mortgage from Benjamin L. Wirt and Wife, Susan L. Wirt (with a maximum line of \$10,000.00 available to draw) to First Alabama Bank recorded in Book 193, Page 778 in the Office of the Judge of Probate of Shelby County, Alabama, also recorded in Book 3414, Page 669 in the Office of the Judge of Probate of Jefferson County, Alabama being more particularly described as follows:

"SEE EXHIBIT 'A' ATTACHED"

AND WHEREAS, Regions Mortgage, Inc. is making a mortgage loan to Benjamin L. Wirt and wife, Susan L. Wirt, [to refinance the original first mortgage loan to Collateral Investment Company dated August 6, 1979, and recorded in Real 1801 page 112 (Jefferson) and Mortgage Book 394 page 726 (Shelby); which said mortgage was assigned to Federal National Mortgage Association in Misc. Book 32 page 386 (Shelby County)] in the amount of \$49,000.00 said loan secured by a mortgage which shall encumber the above described real Property:

WHEREAS, Regions Mortgage, Inc., as a condition for making a new mortgage loan, requires Mortgagee to subordinate the lien of its mortgage to the lien of the new Regions Mortgage, Inc. 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 Regions Mortgage, Inc., to Mortgagee, the receipt and sufficiency of which is hereby acknowledged, Mortgagee does hereby covenant, consent and agree to and with Regions Mortgage, Inc., 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 Regions Mortgage, Inc., which was granted by Benjamin L. Wirt and wife, Susan L. Wirt, to refinance the original mortgage recorded in Real 1801 Page 112 (Jefferson) and Mortgage Book 394 Page 726 (Shelby); which said mortgage was assigned to Federal National Mortgage Association in Misc. Book 32 Page 386 (Selby County) provided, however that this subordination is limited to the amount of \$66,750.0.

Inst # 1996-08964

03/20/1996-08964
09:43 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 13.50

Inst # 1996-08964

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

Signed, sealed and delivered
in the presence of:

Helga Tuggle

FIRST ALABAMA BANK

BY:

Martha M. Chaffin
Martha M. Chaffin
Branch Manager

STATE OF ALABAMA

COUNTY OF JEFFERSON

The foregoing instrument was acknowledged before me this 15TH day of November, 1995 by Martha M. Chaffin, Branch Manager of First Alabama Bank, Carraway Branch, on behalf of the bank.



Helga Tuggle
Notary Public

My Commission Expires: _____

MY COMMISSION EXPIRES SEPTEMBER 8, 1997

EXHIBIT "A" ATTACHED

Unit 16-I, in Windhover, a condominium, located at Old Rocky Ridge Road Jefferson County, Alabama, as established by Declaration of Condominium recorded in Real 1197 page 689 in the Probate Office of Jefferson County, Alabama, and in Misc. Book 12 page 1 in the Probate Office of Shelby County, Alabama, as amended by Amendments of Declaration of Condominium, recorded in Real 1200 page 637, in Real 1385 page 91, in Real 1388 page 152, in Real 1564 page 374, in Real 1573 page 594, in Real 1632 page 85 and in Real 1632 page 93 in the Probate Office of Jefferson County, Alabama, and in Misc. Book 12 page 196, in Misc. Book 18 page 28, in Misc. Book 18 page 163, in Misc. Book 24 page 465, in Misc. Book 24 page 468, in Misc. Book 26 page 329, and in Misc. Book 26 page 337 in the Probate Office of Shelby County, Alabama; together with an undivided interest in the common elements of Windhover Condominium, as set out in Exhibit "B" attached to said Declaration of Condominium, as it may have been or may hereafter be amended pursuant to said Declaration; said Unit being more particularly described in the plans and drawings of said Condominium, as recorded in Map Book 107 page 26, in the Probate Office of Jefferson County, Alabama, and in Map Book 6 page 52 in the Probate Office of Shelby County, Alabama, as amended by revised or supplemental plans recorded in Map Book 107 page 32, in Map Book 111 page 34, in Map Book 115 page 5, in Map Book 116 page 76, and in Map Book 116 page 77, in the Probate Office of Jefferson County, Alabama, and in Map Book 6 page 55, in Map Book 6 page 133, in Map Book 7 page 41, in Map Book 7 page 81 and in Map Book 7 page 82 in the Probate Office of Shelby County, Alabama; being situated in Jefferson and Shelby County, Alabama.

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SHELBY COUNTY JUDGE OF PROBATE
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State of Alabama - Jefferson County
I certify this instrument filed on:
1995 NOV 28 P.M. 14:47
Recorded and \$
and \$ 9.50
\$ 9.50
Mtg. Tax
Deed Tax and Fee Amt.
Total \$
GEORGE R. REYNOLDS, Judge of Probate



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