

SUBORDINATION AGREEMENT

STATE OF ALABAMA)

COUNTY OF SHELBY)

This Agreement made and entered into this 28th day of March, 1997, by and between **Robert E. Pope** (hereinafter collectively called Mortgagor), and **First National Bank of Shelby County, formerly known as First National Bank of Columbiana**, (hereinafter called Mortgagee).

W I T N E S S E T H

Whereas, the Mortgagor executed a Mortgage to the Mortgagee, said mortgage being recorded in Instrument Number 1996-15640 in the Office of the Judge of Probate of Shelby County, Alabama, and conveyed the following described property:

For legal description - refer to Exhibit "A" attached hereto.

Now, therefore, in consideration of the premises and other good and valuable consideration, the sufficiency is hereby acknowledged, the parties agree as follows:

The Mortgagee does hereby fully subordinate and does declare to be subordinate the lien of the aforesaid mortgage to a mortgage executed to **Mortgage America, Inc.**, it's successor's or assigns recorded in Instrument # 1997-11140, in the Office of the Judge of Probate of Shelby County, Alabama.

In Witness Whereof, the parties hereunto set their hand and seals as of this date and year stated above.

MORTGAGEE:

FIRST NATIONAL BANK OF SHELBY COUNTY

By: William R. Justice
William R. Justice

As Its: In House Counsel

MORTGAGOR:

By: Robert E. Pope
Robert E. Pope

04/10/1997-11141
10:41 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MEL 13.50

Inst # 1997-11141

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned authority a Notary Public in and for said County in said State do hereby certify that Robert E. Pope, whose name is signed to the foregoing instrument, and who is informed of the contents of said instrument, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the _____ day of March, 1997.

Notary Public

My Commission Expires: _____

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGEMENT

I, the undersigned authority, a Notary Public, in and for said County and in said State, hereby certify that William R. Justice, whose name as In-House Counsel for First National Bank of Shelby County, a corporation, 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 said instrument, he, as such In House Counsel, and with full authority, executed the same voluntarily for and as the act of said Bank on the day the same bears date.

Given under my hand and official seal this 28th day of March, 1997.

Frances H. Sammons
Notary Public

My Commission Expires: 7-6-00

Commence at the SW corner of Section 35, Township 20 South, Range 1 West; thence run North along the West line of Section 35, 1898.88 feet to the NE right of way line of County Highway No. 47 and the Point of beginning; thence continue North along the said Section line a distance of 210.00 feet; thence 89 deg. 29 min. right 439.30 feet to the West bank of a creek; thence follow the meanderings of the West bank of said creek as described by the following random line; thence 75 deg. 57 min. 07 sec. right 118.48 feet to a point; said point being 12 feet West of the West bank of said creek; thence 27 deg. 46 min. 36 sec. right to a line and along said line 67 feet to a point on the West bank; thence continue along the last stated line 14.72 feet to a point in the center of said creek; thence 24 deg. 53 min. left 183.56 feet to a point in the center of the creek; said point being 10 feet from the West bank; thence 09 deg. right 97.75 feet to a point in the center of said creek, said point being 6 feet from said West bank; thence 26 deg. 04 min. 35 sec. left 129.54 feet to a point in the centerline of said creek, said point being 10 feet from the West bank; thence 25 deg. 32 min. 43 sec. right 214.92 feet to a point on the West bank of said creek and the NE right of way of County Highway No. 47; thence 139 deg. 51 min. 41 sec. right 538.20 feet along said right of way in a Northwesterly direction to a point; thence 01 deg. 47 min. left and continuing along said right of way 189.40 feet; thence 08 deg. 46 min. left 87.41 feet along said right of way to the point of beginning; being situated in Shelby County, Alabama.

LESS AND EXCEPT the following described parcel:

Part of the SW 1/4 of Section 35, Township 20 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows: Commence at the SW corner of Section 35, Township 20 South, Range 1 West; thence run North along the West line of Section 35, 1898.88 feet to the Northeast right of way line of Shelby County Highway No. 47; thence turn an angle to the right of 135 deg. 02 min. 01 sec. and run in a Southeasterly direction along the Northeast right of way line of said Shelby County Highway No. 47 for a distance of 403.89 feet to an existing iron rebar being the point of beginning; thence turn an angle to the left of 84 deg. 55 min. 10 sec. and run in a Northeasterly direction for a distance of 240.29 feet to an existing iron pin being on the Westerly bank of an existing creek; thence turn an angle to the right of 127 deg. 16 min. 16 sec. and run in a Southerly direction for a distance of 121.91 feet to an existing iron pin being on the Westerly bank of said creek; thence turn an angle to the left of 19 deg. 29 min. 20 sec. and run in a Southeasterly direction for a distance of 180.34 feet to an existing iron pin being on the Westerly bank of an existing creek; thence turn an angle to the right of 37 deg. 31 min. 24 sec. and run in a Southerly direction for a distance of 51.55 feet to an existing iron pin being on the Westerly bank of an existing creek; thence turn an angle to the left of 41 deg. 49 min. 06 sec. and run in a Southeasterly direction for a distance of 95.37 feet to an existing iron pin being on the Westerly bank of an existing creek; thence turn an angle to the right of 41 deg. 50 min. 01 sec. and run in a Southerly direction for a distance of 30.04 feet to an existing iron pin being on the Northeast right of way line of Shelby County Highway No. 47; thence turn an angle to the right (126 deg. 00 min. 31 sec. to chord of following described curve; said curve being concave in a Southwesterly direction and having a deflection angle of 6 deg. 24 min. 37 sec. and a radius of 568.17 feet) and run in a Northwesterly direction along the Northeast right of way line of said Shelby County Highway No. 47 for an arc length distance of 127.13 feet to an existing iron pin being at a point of ending of said curve and being on the Northeast right of way line of said Shelby County Highway No. 47; thence run in Northwesterly direction along said Northeast right of way line and along a line tangent to the end of said curve for a distance of 282.18 feet; being situated in Shelby County, Alabama.

ALSO, LESS AND EXCEPT the following parcel:

Part of the SW 1/4 of Section 35, Township 20 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows: Commence at the SW corner of Section 35, Township 20 South, Range 1 West; thence run North along the West line of Section 35, 1898.88 feet to the Northeast right of way line of Shelby County Highway No. 47; thence turn an angle to the right of 135 deg. 02 min. 01 sec. and run in a Southeasterly direction along the Northeast right of way line of said Shelby County Highway No. 47 for a distance of 227.89 feet to an existing iron rebar being the point of beginning; thence turn an angle to the left of 83 deg. 31 min. and run in a Northeasterly direction for a distance of 405.21 feet to an existing iron pin; thence turn an angle to the right of 178 deg. 33 min. and run in a Southerly direction along the West bank of an existing creek for a distance of 31.98 feet to an existing iron pin; thence turn an angle to the right of 46 deg. 52 min. 05 sec. and run in a Southwesterly direction for a distance of 78.90 feet to an existing iron pin; thence turn an angle to the left of 73 deg. 15 min. 06 sec. and run in a Southeasterly direction along the West bank of said creek for a distance of 82.83 feet to an existing iron pin; thence turn an angle to the right of 14 deg. 59 min. 06 sec. and run in a Southerly direction for a distance of 63.66 feet to an existing iron pin; thence turn an angle to the right of 8 deg. 42 min. 59 sec. and run in a Southerly direction for a distance 0.08 feet; thence turn an angle to the right of 52 deg. 43 min. 44 sec. and run in a Southwesterly direction for a distance of 240.29 feet to an existing iron pin being on the Northeast right of way line of said Shelby County Highway No. 47; thence turn an angle to the right of 84 deg. 55 min. 10 sec. and run in a Northwesterly direction along the Northeasterly right of way line of said Shelby County Highway No. 47 for a distance of 176.0 feet, more or less, to the point of beginning; being situated in Shelby County, Alabama.

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