

SUBORDINATION AGREEMENT

STATE OF ALABAMA )  
JEFFERSON COUNTY )

KNOW ALL MEN BY THESE PRESENTS THAT: SouthTrust Bank of Alabama, a corporation, as present owner and legal holder of that certain real estate mortgage made and executed by Ralph M. Marcum and Joy M. Marcum, recorded in the Office of the Judge of Probate of ~~Jefferson~~ Shelby County, Alabama, to wit:

Date of Mortgage: July 28, 1992  
Name of Mortgagee: SouthTrust Bank of Alabama  
Date Mortgage Filed: September 11, 1992  
Recording Information: Instrument No. 1992-19803 and  
amended in Instrument No. 1997-1203

for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable considerations, the receipt whereof is hereby acknowledged, SouthTrust Bank of Alabama, a corporation, does hereby subordinate its rights under the above described Mortgage to the rights of the Mortgagee in the following described instrument:

Real estate mortgage executed by Ralph M. Marcum and Joy M. Marcum in favor of Old Kent Mortgage Company, in the amount of One Hundred Ninety Thousand and No/100 Dollars (\$190,000.00), which said mortgage is dated and recorded subsequent to this document.

It is expressly understood that this subordination agreement shall not affect the lien of the mortgage to SouthTrust Bank of Alabama, other than as indicated herein, nor shall it affect or modify the obligations secured by the mortgage to SouthTrust Bank of Alabama, and said obligation shall continue in force and affect until fully paid, satisfied and discharged.

IN WITNESS WHEREOF, the said SouthTrust Bank of Alabama, by  
Stephen A. Pierce, as Loan Officer, who is  
authorized to execute this agreement, has hereunto set its signature and seal on  
this the 9th day of April, 1997.

SOUTHTRUST BANK OF ALABAMA

By Stephen A. Pierce  
its Loan Officer

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Stephen A. Pierce whose name as Loan Officer of SouthTrust Bank of Alabama, a corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he, as such officer and with fully authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 9th day of April, 1997.

Mary E. Wadsworth  
Notary Public  
My Commission Expires May 7, 1997  
Inst # 1997-12385

04/22/1997-12385  
08:15 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 HCD 8.50

Inst # 1997-12385

Magnolia