

STATE OF ALABAMA)
JEFFERSON COUNTY)

SUBORDINATION AGREEMENT

This agreement made and entered into this 9TH day of JULY, 1997, by and between Michael K. Pencak, an unmarried man and Connie Tucker-Pencak, an unmarried woman (hereinafter collectively called Mortgagors), and Commercial Credit Corporation (hereinafter called Mortgagee).

Inst # 1997-24847

WITNESSETH

Whereas, the Mortgagor executed a mortgage to Commercial Credit Corporation, said mortgage being recorded in Instrument #1994-13082 in the Office of the Judge of Probate, Shelby County, Alabama, and conveyed the following described property:

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LOT 2, BLOCK 3, ACCORDING TO THE SURVEY OF CAHABA VALLEY ESTATES, SECOND SECTOR, AS RECORDED IN MAP BOOK 5, PAGE 93, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

Whereas, it is and was the intent and desire of the Mortgagor and Mortgagee that the aforesaid mortgage to the Mortgagee be subordinated in all respects to the mortgage executed in favor of

Coats & Co., Inc. in the principal amount of \$58,335.00

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

Commercial Credit Corporation does hereby fully subordinate and does declare to be subordinate the lien of the aforesaid mortgage recorded in Instrument #1994-13082, in the Office of the Judge of Probate of Shelby County, Alabama, to the mortgage being recorded in Instrument # 1997-24846 in the Office of the Judge of Probate of Shelby County, Alabama.

08/07/1997-24847
09:02 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 11.00

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

MORTGAGEE:
Commercial Credit Corporation

MORTGAGOR:

By: [Signature]
Its: V.P.

[Signature]
Connie Tucker-Pencak

[Signature]
Michael K. Pencak

STATE OF Alabama)
Jefferson COUNTY)

ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County and State, hereby certify that LARRY S. WILLS whose name as Vice President of Commercial Credit Corporation, 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 the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 11th day of July, 1997.

[Signature]
Notary Public
My Commission Expires: _____

STATE OF ALABAMA)

My Commission Expires April 18, 2000

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County and State, hereby certify that Connie Tucker-Pencak and Michael K. Pencak, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed same voluntarily on the day the same bears date.

Inst #1997-24847

Given under my hand and official seal this 9TH day of JULY, 1997.

[Signature]
Notary Public
My Commission Expires: 10-21-99

08/07/1997-24847
09:02 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
DD2 MCD 11.00