

STATE OF ALABAMA)

JEFFERSON COUNTY)

SUBORDINATION AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, That

WHEREAS, on the 13th day of June, 1996, THOMAS R. & CAROLYN AVERETT (hereinafter referred to as "Mortgagor") did execute in favor of BANK OF ALABAMA (hereinafter referred to as "Mortgagee"), a Real Estate Mortgage which then and does now constitute a second mortgage lien as recorded in Inst. 1996, Page 20683***, said instrument being filed for record with the Judge of Probate, Shelby County, Alabama, said property being described as follows:

*** this mortgage amended and modified that certain mortgage recorded in Inst. 1995-31723 dated October 12, 1995.

Lot 192-A according to a Resurvey of Lot 174-194, 186-195 Shoal Creek as recorded in Map Book 9, Page 113 in the Probate Office of Shelby County, Alabama.

WHEREAS, the sum of One Hundred, Twenty-One Thousand, Dollars (\$ 121,000.00) is still owned and is secured by such mortgage; and

WHEREAS, Mortgagor desires to refinance said property and desires to make a new term mortgage in favor of BOA MORTGAGE COMPANY (hereinafter referred to as BOA MORTGAGE) and to secure such lien by mortgage lien on the above described property, and desires that mortgage lien in favor of Mortgagee be subordinated and made junior to a mortgage lien which Mortgagor desires to effect by executing said mortgage with

WHEREAS, Mortgagee (in consideration of the fact that their mortgage will be better secured as a second lien on the property) has previously agreed, and are now willing and desirous of executing such documents as is necessary to execute a mortgage furnishing a valid first lien in favor of and to BOA MORTGAGE.

NOW, THEREFORE, Mortgagee does hereby subordinate this mortgage lien on the above described land, as established by mortgage, with such mortgage now, by virtue of this document, hereby being made subordinate and junior to the mortgage executed by Mortgagee to BOA MORTGAGE, on the 20th day of February, 1998, a copy of which is attached hereto, to secure an indebtedness of Five Hundred, Fifty-five thousand and no/100 (\$ 555,000.00) Dollars.

WITNESS, my hand and seal this the 20th day of February, 1998.

BANK OF ALABAMA, an Alabama Banking Corporation

BY: Wanda Franklin

Its:

Vice President

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County and state, hereby certify that Wanda Franklin whose name is signed to the foregoing subordination agreement as Vice President of the Bank of Alabama, and who is known to me, acknowledged before me on this date, that, being informed of the contents of said subordination agreement, she, as such officer and with full authority, executed the same voluntarily for and as the act of the said corporation, on the day the same bears date.

This the 20th day of February, 1998.

Wanda Franklin
NOTARY PUBLIC

MY COMMISSION EXPIRES JULY 18, 1999

03/03/1998-07119
08:51 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
DO1 SNA 8.50

Inst # 1998-07119