

SUBORDINATION AGREEMENT

This Agreement made this date by and between First Tennessee Bank National Association (herein called First Party), and Marbury Mortgage, Inc. (herein called Second Party).

Whereas, First Party is the owner and holder of that certain mortgage recorded in Instrument No. 1997-22182, executed by Mike D. Smith and Kimberly A. Smith in the Probate Office of Shelby County, Alabama, which mortgage encumbers the property described as follows:

Lot 15 according to the Survey of Heatherwood Forest, Sector 1, as recorded in Map Book 13, Page 144 in the Probate Office of Shelby County, Alabama: being situated in Shelby County, Alabama.

Whereas, the Second Party will not make the said loan unless the First Party subordinates its mortgage to that mortgage to the Second Party.

Now therefore in consideration of One Dollar and other good and valuable consideration, the Parties hereto agree as follows:

The First Party, First Tennessee Bank National Association, consents and agrees that the lien of its mortgage recorded in Instrument No. 1997-22182, is and shall continue to be, subject and subordinate in lien to the lien of the mortgage being made to the Second Party, Marbury Mortgage, Inc, which mortgage in the amount of \$180,000 is recorded in Instrument No. 1998-07517 in the said Probate Office.

Done this 27th day of February, 1998.

FIRST TENNESSEE BANK NATIONAL ASSOCIATION

BY:

[Signature]
Its Senior Vice President

STATE OF Tennessee
COUNTY OF Shelby

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Richard L. Givens, whose name as Senior Vice President, of First Tennessee Bank National Association, 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 the 27th day of February, 1998.

NOTARY PUBLIC STATE OF TENNESSEE

MY COMMISSION EXPIRES: May 2, 2000.

[Signature]
Notary Public

Inst # 1998-07517

03/04/1998-07517
02:07 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 SNA 8.50

TOTAL P.03