

SUBORDINATION AGREEMENT

THIS SUBORDINATION OF MORTGAGE executed this 26th day of February 1998 by Regions Bank (formerly First Alabama Bank) (hereinafter referred to as the "Mortgagee").

"WITNESSETH"

WHEREAS, Mortgagee is the owner and holder of that certain mortgage from Michael W. Rose and wife, Rebecca A. Rose (with a maximum line of \$100,000.00 available to draw) to Regions Bank (formerly First Alabama Bank) recorded in Real 352 page 404 in the Probate office of Shelby County, Alabama, which said mortgage was subordinated by agreement recorded as Inst. # 1992-24350 in the Probate Office; which was amended by "Amendment to Equity Assetline Mortgage" recorded as Inst. # 1996-14152 in the Probate Office of Jefferson County, Alabama, being more particularly described as follows:

SEE EXHIBIT "A" ATTACHED

WHEREAS, Regions Mortgage, Inc. is making a mortgage loan to Michael W. Rose and Wife, Rebecca A. Rose (to refinance the original first mortgage loan to Collateral Mortgage, Ltd. recorded as Inst. #1992-18253 in Probate Office; which was assigned to Countrywide Funding Corporation recorded as Inst. #1995-02474 in the Probate Office of Shelby County, Alabama) in the amount of \$337,500.00 said loan secured by a mortgage which encumbers the above described real Property:

WHEREAS, Regions Mortgage, Inc. as a condition for making a new mortgage loan, requires Mortgagee to subordinate the lien of its mortgage to the lien of the new Regions Mortgage, Inc. and mortgagee has agreed to do so.

NOW, THEREFORE, for and in consideration of the premises hereof and of the mutual advantages and benefits accruing to the parties hereto, and in further consideration of the sum of TEN DOLLARS in hand paid by Regions Mortgage, Inc. to Mortgagee, the receipt and sufficiency of which is hereby acknowledged, Mortgagee does hereby covenant, consent and agree to and with Regions Mortgage, Inc., that the lien of Regions Bank, shall be and the same is hereby made subordinate, inferior and subject in every respect to the lien of Regions Mortgage, Inc., which was granted by Michael W. Rose and wife, Rebecca A. Rose, to refinance the original first mortgage recorded as Inst. #1992-18253 in Probate Office; which was assigned to Countrywide Funding Corporation recorded as Inst. #1995-02474 in the Probate Office of Shelby County, Alabama, which encumbers the above described property

03/12/1998 10:52 1998-08526
08:38 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 13.50

Inst # 1998-08526

EXHIBIT "A"

Commence at the Southeast corner of Section 22, Township 20 South, Range 3 West; run thence North 23 deg. 32 min. West for 310.6 feet to the West Right of Way of County Road Number 95 and run thence in a Northwesterly direction along said Right of Way and a curve to the left having a radius of 2,824.79 feet for an arc length of 143.60 feet; run thence North 25 deg. 34 min. 21 sec. West along said Right of Way for 49.78 feet; run thence in a Northwesterly direction along said Right of Way and a curve to the left having a radius of 2814.79 feet for an arc length of 150.0 feet; run thence North 06 deg. 51 min. 11 sec. West along said Right of Way for 51.50 feet; run thence in a Northwesterly direction along said Right of Way and a curve to the left having a radius of 2,824.79 feet for an arc length of 44.35 feet to the point of beginning; continue along said curve in a Northeasterly direction for an arc length of 77.45 feet; run thence North 21 deg. 01 min. 54 sec. West along said Right of Way for 80.27 feet; run thence North 88 deg. 32 min. 26 sec. West for 511.44 feet; run thence South 01 deg. 26 min. 35 sec. West for 260.67 feet; run thence North 89 deg. 57 min. 34 sec. East for 316.50 feet; run thence in a Northeasterly direction along a curve to the left having a radius of 430.57 feet for an arc length of 184.12 feet; run thence North 65 deg. 27 min. 34 sec. East for 71.71 feet; run thence North 22 deg. 59 min. 57 sec. East for 33.75 feet to the West Right of Way of County Road Number 95 and the point of beginning.

Said land being in the Southwest 1/4 of the Southwest 1/4 of section 22, Township 20 South, Range 3 West of the Huntsville Principle Meridian, Shelby County, Alabama.

Mineral and mining rights excepted.

provided, however that this subordination is limited to the amount of \$337,500.00.

IN WITNESS WHEREOF, this agreement is executed the day and year first written above.

Signed, sealed and delivered in the presence of:

Wayne D. Williams

REGIONS BANK

BY:

Helga M. Tuggle
Helga M. Tuggle
Branch Manager

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Helga M. Tuggle, whose name as Branch Manager of Regions Bank, Carraway Office, a corporation, is signed to the foregoing subordination agreement and who is personally known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this 20th day of February, 1998.

Rosalind Coleman
Notary Public

MY COMMISSION EXPIRES JUNE 10, 1996

My Commission Expires: _____

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