

STATE OF ALABAMA
COUNTY OF Shelby

SUBORDINATION AGREEMENT

WHEREAS, Boyd H. Leyburn, Jr. and his wife Diane D. Leyburn (hereinafter referred to as "Borrower"), have applied to New South Federal Savings Bank (hereinafter referred to as "Bank") for a loan of money in the amount of \$102,000.00 to be secured by a mortgage on the property hereinafter described; and

WHEREAS, the undersigned have a lien on said property which would in the absence of this agreement be superior to the mortgage to be executed by the Borrower to the Bank; and

WHEREAS, the Bank is unwilling to make the requested loan to the Borrower unless the undersigned subordinate their lien in said property to the mortgage to be executed by the Borrower to the Bank.

NOW THEREFORE, in consideration of the premises and other good and valuable consideration, and in order to induce the Bank to make the requested loan to the Borrower, the undersigned hereby agree as follows:

The undersigned hereby subordinate to the mortgage to be executed by the Borrower to the Bank all right, title and interest at law or equity of the undersigned in and to the following described property situated in Shelby County, Alabama, to-wit:

Lot 33, according to the Survey of Third Addition, Riverchase Country Club, as recorded in Map Book 7, page 53 in the Probate Office of Shelby County, Alabama.

including without limitation, that certain mortgage recorded in Real Vol. 118, page 712 and amendment recorded in Inst. #1997-38814 in the Probate Office of Shelby County, Alabama.

IN WITNESS WHEREOF SOUTHRUST BANK has caused its A.V.P. to execute this Subordination Agreement with full authority for and on behalf of SOUTHRUST BANK the 14th day of April, 1998.

SOUTHRUST BANK

BY:

John P. Dy
its A.V.P.

09/29/1998-37792

03:35 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
002 CRH 11.00

Inst. # 1998-37792

STATE OF
COUNTY OF

Alabama
Jefferson

I, the undersigned authority, a Notary Public in and for said county in said state hereby certify that John R. Day whose name as AVP for SOUTHTRUST BANK 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 the conveyance, he as such officer, and with full authority, executed the same voluntarily for and as the act of COLONIAL BANK on the day the same bears date.

Given under my hand and official seal this the 14th day of April, 1998.

Kimberly J. Burger
NOTARY PUBLIC

My Commission Expires December 7, 1998

My commission expires: _____

Inst # 1998-37792

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