

SUBORDINATION AGREEMENT

STATE OF ALABAMA)
COUNTY OF SHELBY)

This Agreement made and entered into this 14th day of January, 1999, by and between Kerry R. Nivens and Gloria A. Nivens, husband and wife (hereinafter collectively called Mortgagor), and First National Bank of Shelby County, (hereinafter called Mortgagee).

W I T N E S S E T H

Whereas, the Mortgagor executed a Mortgage to the Mortgagee, said mortgage being recorded in Real Book 387 Page 962 in the Office of the Judge of Probate of Shelby County, Alabama, and conveyed the following described property:

Lot 18, according to the Survey of Briarwood Subdivision, First Sector, as recorded in Map Book 5 page 23 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

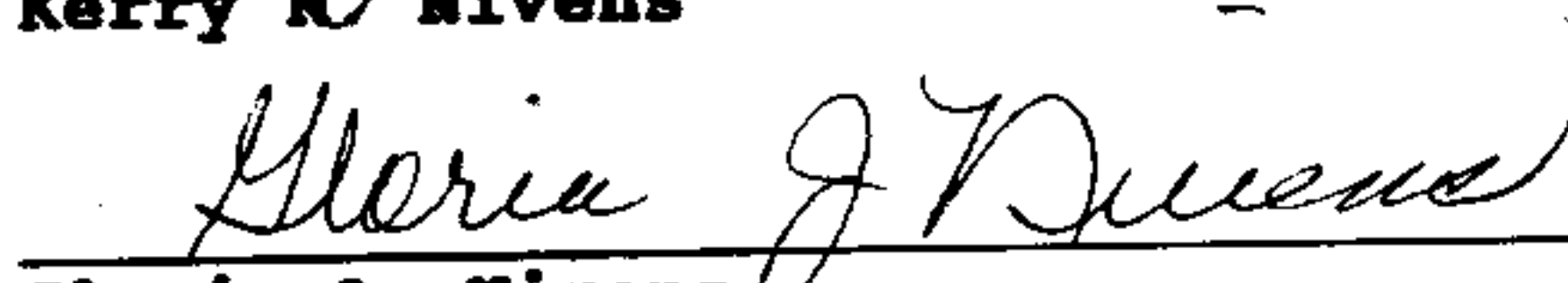
Now, therefore, in consideration of the premises and other good and valuable consideration, the sufficiency is hereby acknowledged, the parties agree as follows:

The Mortgagee does hereby fully subordinate and does declare to be subordinate the lien of the aforesaid mortgage to a mortgage executed to First National Bank of Shelby County, recorded in Instrument Number 1999-2732 in the Office of the Judge of Probate of Shelby County, Alabama.

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

MORTGAGORS:


Kerry R. Nivens


Gloria A. Nivens

MORTGAGEE:

FIRST NATIONAL BANK OF SHELBY COUNTY

By: 
As Its: In-House Counsel

Inst # 1999-02733

01/20/1999-02733

02:04 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

002 CRH 12.00

STATE OF ALABAMA)

COUNTY OF SHELBY)

ACKNOWLEDGEMENT

On this 14th of January, 1999, I, the undersigned authority a Notary Public in and for said County in said State do hereby certify that Kerry R. Nivens and Gloria A. Nivens, husband and wife, whose names are signed to the foregoing instrument, and who are informed of the contents of said instrument, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 14th day of January, 1999.



William R. Justice
Notary Public

My Commission Expires: 9/12/99

STATE OF ALABAMA)

COUNTY OF SHELBY)

Inst # 1999-02733

01/20/1999-02733

ACKNOWLEDGEMENT 04 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
002 CRH 12.00

I, the undersigned authority, a Notary Public, in and for said County and in said State, hereby certify that William R. Justice, whose name as In House Counsel for First National Bank of Shelby County, 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 said instrument, he, as such In House Counsel, and with full authority, executed the same voluntarily for and as the act of said Bank on the day the same bears date.

Given under my hand and official seal this 14th day of January, 1999.

Sammy W. Lyon
Notary Public

My Commission Expires: 12-19-99