

SUBORDINATION AGREEMENT

This Agreement made this date by and between SouthTrust Bank of Alabama (herein called First Party), and SouthTrust Mortgage Corporation (herein called Second Party).

Whereas, First Party is the owner and holder of that certain mortgage recorded in Instrument # 1993-12039 executed by Malcolm Johnson and Kay S. Johnson in the Probate Office of Shelby County, Alabama, which mortgage encumbers the property described as follows:

Lot 24, according to the Survey of St. Ives at Greystone, as recorded in Map Book 15, Page 70, in the Probate Office of 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, SouthTrust Bank of Alabama, consents and agrees that the lien of its mortgage recorded in Instrument #1993-12039 is and shall continue to be, subject and subordinate in lien to the lien of the mortgage in the amount of \$180,000.00 being made to the Second Party, SouthTrust Mortgage Corporation, which mortgage is recorded in Instr. # 1999-05772 in the said Probate Office.

Done this 4 th day of February 1999.

SouthTrust Bank of Alabama

BY:

Stephen A. Pierce  
Its Asst. Vice Pres.

STATE OF Alabama  
COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Stephen A. Pierce, whose name as Asst. Vice Pres., of SouthTrust Bank of Alabama, 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 4 th day of February 1999.

Sybil D. Cummings  
Notary Public **SYBIL D. CUMMINGS**

MY COMMISSION EXPIRES 9-25-02

02/11/1999-05773  
09:14 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MMS 8.50

Inst # 1999-05773