

SUBORDINATION AGREEMENT

THIS SUBORDINATION OF MORTGAGE executed this 16th day of February 1999 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 J. Samuel Fitch and wife, Joy L. Fitch recorded in Instrument 1996-10254, in the Probate Office of Shelby County, Alabama, being more particularly described as follows:

Lot 15, according to the Survey of Chadwick, Sector 2, as recorded in Map Book 17, Page 127, in the Probate Office of Shelby County, Alabama.

WHEREAS, Coats & Co., Inc. is making a mortgage loan to J. Samuel Fitch and wife, Joy L. Fitch (to refinance the original first mortgage loan to Coats & Co., Inc., recorded in Instrument 1994/28139, and subsequently transferred and assigned to Fidelity National Mortgage Corp. by instrument recorded in Instrument 1994/30775 in the Probate Office of Shelby County, Alabama) in the amount of \$68,000.00 said loan secured by a mortgage which encumbers the above described real Property:

WHEREAS, Coats & Co., 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 Coats & Co., 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 Coats & Co., Inc., the receipt and sufficiency of which is hereby acknowledged, Mortgagee does hereby covenant, consent and agree to and with Coats & Co., 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 Coats & Co., Inc., which was granted by J. Samuel Fitch and wife, Joy L. Fitch to refinance the original mortgage to Coats & Co., Inc. recorded in Instrument 1994/28139, and subsequently transferred and assigned to Fidelity National Mortgage Corp. by instrument recorded in Instrument 1994/30775 in the Probate Office of Shelby County, which encumbers the above described property; provided, however that this subordination is limited to the amount of \$68,000.00.

Inst # 1999-08269

03/01/1999-08269
11:31 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NMS 11.00

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

Signed, sealed and delivered in the presence of:

Paul Dill

REGIONS BANK

BY: Suzanne A. Waid
Suzanne W. Waid
Assistant 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 Suzanne W. Waid, whose name as Assistant Branch Manager of Regions Bank, 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 16th day of February 1999.

Wendy S. Shuler
Notary Public

My Commission Expires: 12-16-2000

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