

SUBORDINATION AGREEMENT

STATE OF ALABAMA, Shelby COUNTY:

This Subordination Agreement, made and entered into on this the 15th day of October, 1998 ~~xxxx~~ by and between

COMPASS BANK

as party of the First Part, and:

COMPASS BANK

as party of the Second Part

WITNESSETH:

THAT, WHEREAS, JOHN M. MAGEE, has an outstanding loan in favor of,

COMPASS BANK

dated the 26th day of June, 1998, 19 , and recorded in the Probate Office of Shelby County, Alabama, on certain real estate described therein to secure an indebtedness of 20,000.00, and said loan is in full force and effect; and,

WHEREAS, JOHN M. MAGEE, has made an application to the Party of the Second Part for a loan in the sum of \$130000.00 and said Party of the Second Part is willing to make said loan to the said JOHN M. MAGEE, provided hereinafter they furnish it with a mortgage on the lands described in the aforesaid loan, and the said Party of the First Part subordinate the above-described loan and make the same second and subservient to the mortgage of COMPASS BANK, and which mortgage is a rate reduction refinance with no cash to borrower.

WHEREAS, the said Party of the First Part is willing to subordinate its said loan and make the loan second and subservient to the mortgage of the said Party of the Second Part as an inducement to it to make said loan.

NOW, THEREFORE, in consideration of the premises and the further consideration of the sum of \$ 10.00 cash, in hand paid, the Party of the First Part by the Party of the Second Part, the receipt of which is hereby acknowledged, the said Party of the First Part does hereby agree that the loan of JOHN M. MAGEE dated 6-26-98, and recorded in Probate Office of Shelby County, Alabama in Volume 1998 at Page 25179, to secure the said loan shall be subordinate to the mortgage of COMPASS BANK.

IT IS FURTHER agreed that should JOHN M. MAGEE default in the payments under the terms of the real estate mortgage to Party of the Second Part, the said Lender agrees to notify Party of the First Part of said default prior to taking legal action.

IN WITNESS WHEREOF, the said Party of the First Part has caused its name to be hereunto signed on this the 15th day of October, 1998

COMPASS BANK

By Linda C. Skipper
its Assistant Vice President

STATE OF ALABAMA, COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said county and state, hereby certify that Linda C. Skipper whose name as Asst. Vice President of COMPASS 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, the same was executed voluntarily on the day the same bears date.

GIVEN under my hand and official seal on this 15th day of October, 1998

Sherry J. Hayes
Notary Public
My Commission Expires: 5-11-2002

PREPARED BY: STEWART & ASSOCIATES, P.C.
3595 GRANDVIEW PARKWAY, STE. 350
BIRMINGHAM, AL 35243

Inst # 1999-18233

05/03/1999-18233
09:13 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 NWS 8.50