

R99043272

STATE OF ALABAMA
JEFFERSON COUNTY

Inst # 1999-19159
05/07/1999-19159
09:38 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
JAE HGS 11.00

SUBORDINATION OF MORTGAGE

THIS SUBORDINATION OF MORTGAGE executed this 26th day of April, 1999, by FIRST COMMERCIAL BANK ("First Commercial"), and John S. Saggus and wife, Mary Windsor B. Saggus ("Saggus").

WITNESSETH:

WHEREAS, Saggus' is/are the owner(s) of the real estate more particularly described as follows:

Lot 2, according to the Survey of Audubon Forest, First Addition, as recorded in Map Book 11, Page 122, in the Office of the Judge of Probate of Shelby County, Alabama.

WHEREAS, Saggus' heretofore executed a mortgage in favor of First Commercial Bank, filed for record June 20, 1996, recorded in 1996-20079, in the Probate Office of Shelby County, Alabama (the "First Commercial Mortgage"); and

WHEREAS, Saggus' now desire(s) to obtain a mortgage loan from Synovus Mortgage Corp. (the "Synovus Mortgage") in the principal amount of \$ 142,000.00; and

WHEREAS, Synovus is desirous of extending credit to Saggus' provided that First Commercial subordinates the lien of the First Commercial Mortgage; and

WHEREAS, in order to induce Synovus to make the loan to Saggus', First Commercial is willing and desirous to subordinate the lien of the First Commercial Mortgage to the lien of the mortgage of Synovus dated 26th day of April, 1999, executed by Saggus', filed for record in the Probate Office of Shelby County, Alabama, recorded in 1999-19157.

NOW, THEREFORE, for and in consideration of the premises and of Ten and No/100 Dollars (\$10.00) and of other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned do hereby covenant, stipulate, warrant and agree as follows:

1. First Commercial hereby subordinates all its right, title and interest in and to the lien created by the First Commercial Mortgage and other loan documents as defined in the mortgage in favor of Synovus, its successors and assigns; provided, however, that nothing herein shall be construed to subordinate any rights that First Commercial may have under its mortgage to any debts owing to Synovus by (the) Saggus' in excess of the original \$ 142,000.00 secured by the Synovus Mortgage.

2. Saggus', as mortgagor(s) under the First Commercial Mortgage, hereby consent(s) to the subordination of the First Commercial Mortgage to the Synovus Mortgage.

MWS
JS

IN WITNESS WHEREOF, the parties have hereunto caused this instrument to be executed effective this 26th day of April, 1999.

[Signature] (SEAL)
John S. Saggus
[Signature] (SEAL)
Mary Windsor B. Saggus
____ (SEAL)
____ (SEAL)

FIRST COMMERCIAL BANK
MORTGAGEE

BY: [Signature]
Tonya Mackinaw
ITS: Home Equity Officer

INDIVIDUAL ACKNOWLEDGMENT

STATE OF ALABAMA)
Jefferson COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that John S. Saggus and Mary Windsor B. Saggus, whose names are signed to the foregoing amendment, and who are known to me, acknowledged before me on this day that, being informed of the contents of said amendment, have executed the same voluntarily on the day the same bears date.

Given under my hand and Official seal this 26th day of April, 1999.

(NOTARIAL SEAL)

My commission expires: 5/27/01
[Signature]
Notary Public

CORPORATE ACKNOWLEDGMENT

STATE OF ALABAMA)
Jefferson COUNTY)

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Tonya Mackinaw, whose name as Home Equity Officer of First Commercial Bank, a corporation, is signed to the foregoing amendment, and who is known to me, acknowledged before me on this day that, being informed of the contents of said amendment, (s)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 26th day of April, 1999.

(NOTARIAL SEAL)

My commission expires: _____
[Signature]
Notary Public
NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: 4th & 5th
SIGNED THIS NOTARY PUBLIC

This instrument prepared by:

Name: First Commercial Bank Inst # 1999-19159
Address: P. O. Box 11746
Birmingham, AL 35202 05/07/1999-19159

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