

THE STATE OF ALABAMA )  
COUNTY OF SHELBY )

SUBORDINATION AGREEMENT

KNOW ALL MEN BY THESE PRESENT:

WHEREAS, the undersigned, Compass Bank and William R. Kinnebrew, Jr. and spouse, Laurie K. Kinnebrew acknowledge that debt secured by that certain Mortgage dated October 25, 1994 from William R. Kinnebrew, Jr. and spouse, Laurie K. Kinnebrew to Compass Bank on the following described real estate situated and being in Shelby County, Alabama, to wit:

Lot 7, according to the Survey of Crossbrook Farms, First Sector, as recorded in Map Book 12, Page 86 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Mineral and mining rights excepted.

WHEREAS, the undersigned, understand and agree that the debt secured by that certain Mortgage dated October 25, 1994 from William R. Kinnebrew, Jr. and spouse, Laurie K. Kinnebrew to Compass Bank recorded in Instrument #1994-32741, in the Office of the Judge of Probate of Shelby County, Alabama, in the principal amount of \$25,000.00 shall be second, subordinate and inferior to that certain Mortgage dated April 26, 1999, executed by William R. Kinnebrew, Jr. and spouse, Laurie K. Kinnebrew to National City Mortgage Company recorded in Instrument # 1999-18551, in the Office of the Judge of Probate of Shelby County, Alabama, in the principal amount of \$137,800.00.

ANY DEFAULT under the terms of that certain Mortgage recorded in Instrument # 1999-18551 in the Office of the Judge of Probate of Shelby County, Alabama (first mortgage) or the obligation secured thereby, shall constitute a default of that Mortgage recorded in Instrument #1994-32741 in the Office of the Judge of Probate of Shelby County, Alabama.

IN WITNESS WHEREOF, Compass Bank, through its authorized individual, and William R. Kinnebrew, Jr. and spouse, Laurie K. Kinnebrew hereunto have set their hands and seals this 26th day of April, 1999.

Compass Bank

  
BY: David J. Smith (SEAL)  
Its: Underwriting Mgr.

  
William R. Kinnebrew, Jr. (SEAL)  (SEAL)  
Laurie K. Kinnebrew

THE STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

BEFORE ME, the undersigned authority, duly authorized to administer oaths and take acknowledgments, personally appeared A. Gerald Jones as Undersecretary Manager and acknowledged the foregoing in his/her capacity as same for the purposes herein described this the 26th day of April, 1999.

Jonny M. Hurst  
NOTARY PUBLIC  
My commission expires:

THE STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that William R. Kinnebrew, Jr. and spouse, Laurie K. Kinnebrew, whose names are signed to the foregoing, and who are known to me, acknowledged before me on this day, that being informed of the contents of said instrument, they executed the same voluntarily.

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

Sabrina H. Gentry  
NOTARY PUBLIC  
My commission expires: 2-20-2001

THIS INSTRUMENT WAS PREPARED BY: Richard W. Theibert, Attorney  
NAJJAR DENABURG, P.C.  
2125 Morris Avenue, Birmingham, Alabama 35203  
(205) 250-8400

Inst # 1999-20605

Page 2 of 2

05/17/1999-20605  
09:41 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 HEL 11.00