

THIS DOCUMENT IS BEING RE-RECORDED BECAUSE IT WAS PREVIOUSLY RECORDED WITH A MORTGAGE AS IF IT WERE A PART OF THAT MORTGAGE WHEN IN FACT IT IS NOT.

SUBORDINATION AGREEMENT

AGREEMENT OF SUBORDINATION MADE THIS 26TH DAY OF APRIL, 1999, BY MARA B. MITCHELL IRREVOCABLE TRUST DATED MARCH 1, 1996 (HEREINAFTER REFERRED TO AS "MITCHELL IRREVOCABLE TRUST").

1. MITCHELL IRREVOCABLE TRUST HEREBY SUBORDINATES ALL RIGHTS IN AND TO ITS LEASEHOLD INTEREST IN THAT CERTAIN LEASE DATED SEPTEMBER 9, 1996, MADE BY AND BETWEEN MARA B. BITCHELL IRREVOCABLE TRUST DATED MARCH 1, 1996, NAMED THEREIN AS LESSOR, AND DENIS P. MITCHELL, NAMED AS LESSEE, (HEREINAFTER REFERRED TO AS THE "LEASE") IN CONNECTION WITH THE PROPERTY MORE PARTICULARLY DESCRIBED AS:

LOT 41, ACCORDING TO THE MAP OF THE GLEN ESTATES, AS RECORDED IN MAP BOOK 19, PAGE 9 A & B, AS RECORDED IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

TO THAT CERTAIN MORTGAGE GIVEN BY DENIS PATRICK MITCHELL AND WIFE, SHIRLENE MITCHELL, EXECUTED IN FAVOR OF AMSOUTH BANK, ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTERESTS MAY APPEAR (HEREINAFTER REFERRED TO AS THE "MORTGAGEE"), DATED APRIL 26, 1999 TO SECURE THE NOTE OF EVEN DATE THEREOF. THIS SUBORDINATION AGREEMENT SHALL INCLUDE ANY RENEWAL, EXTENSION, MODIFICAION, OR CONSOLIDATION OF SUCH MORTGAGE.

2. MITCHELL IRREVOCABLE TRUST HEREBY REPRESENTS TO MORTGAGEE THAT LESEE IS CURRENT WITH ALL RENTS DUE UNDER THE LEASE AND THAT SAID SUBORDINATION TO MORTGAGEE'S LIEN SHALL BE WITHOUT COUNTERCLAIMS, DEFENSE, OR OFFSET.

IN WITNESS WHEREOF, THE UNDERSIGNED HAVE HEREUNTO SET THEIR HANDS AND SEALS THIS 26TH DAY OF APRIL, 1999.

LESSOR

  
RICHARD M. MITCHELL, TRUSTEE *Trustee*

  
DENIS P. MITCHELL, TRUSTEE *Trustee*

Inst # 1999-25778

06/21/1999-25778  
09:28 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 CRH 8.50

Inst # 1999-19109

05/06/1999-19109  
02:33 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
011 MMS 371.00