

STATE OF ALABAMA  
COUNTY OF Shelby

### SUBORDINATION AGREEMENT

WHEREAS, Edward H. Whatley, Jr. and Kelley Whatley (herein referred to as "Borrower"), have applied to SouthTrust Mortgage Corporation (the "Bank") for a loan of money to be secured by a mortgage on the property hereinafter described; and

WHEREAS, the undersigned have a lien on said property which would in the absence of this agreement be superior to the mortgage to be executed by the Borrower to the Bank; and

WHEREAS, the Bank is unwilling to make the requested loan to the Borrower unless the undersigned subordinate their lien in said property to the mortgage to be executed by the Borrower to the bank.

NOW THEREFORE, in consideration of the premises and other good and valuable consideration, and in order to induce the Bank to make the requested loan to the Borrower, the undersigned hereby agree as follows:

The undersigned hereby subordinate to the mortgage to be executed by the Borrower to the Bank all right, title and interest at law or equity of the undersigned in and to the following described property situated in Shelby County, Alabama, to-wit:

Lot 22, according to the Map of Marwood, 2<sup>nd</sup> Sector, as recorded in Map Book 10, page 16, in the Probate Office of Shelby County, Alabama.

including without limitation, that certain mortgage recorded in #1997 / 2317 in the Probate Office of Shelby County, Alabama.

IN WITNESS WHEREOF SouthTrust Bank of Alabama has caused its \_\_\_\_\_ to execute this Subordination Agreement with full authority for and on behalf of SouthTrust Bank of Alabama this the \_\_\_\_ day of \_\_\_\_\_.

BY: Stephen A. Pierce  
ITS: Asst. Vice Pres.

STATE OF ALABAMA  
COUNTY OF Jefferson

I, the undersigned authority, a Notary Public, in and for said county in said state hereby certify that Stephen A. Pierce whose name as Asst. Vice Pres. for SouthTrust Bank of Alabama 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, he as such officer, and with full authority, executed the same voluntarily for and as the act of SouthTrust Bank of Alabama on the day the same bears date.

Given under my hand and official seal this the 21<sup>st</sup> day of July, 1999.

Twanna Walton  
NOTARY PUBLIC  
**TWANNA WALTON**  
MY COMMISSION EXPIRES: APRIL 2, 2003

Inst # 1999-28860

07/09/1999-28860  
10:03 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 1996 8.50