

**SUBORDINATION AGREEMENT**

**STATE OF ALABAMA     )**  
**COUNTY OF SHELBY    )**

This Agreement made and entered into this 24th day of June, 1999 by and between Johnny L. Lowe, Jr. and wife, Jean F. Lowe (hereinafter collectively called Mortgagor), and First National Bank of Shelby County, (hereinafter called Mortgagee).

**W I T N E S S E T H**

Whereas, the Mortgagor executed a Mortgage to the Mortgagee, said mortgage being recorded in Instrument Number 1998-47960 and Modification of Mortgage recorded in Instrument number 1999-27449 in the Office of the Judge of Probate of Shelby County, Alabama, and conveyed the following described property:

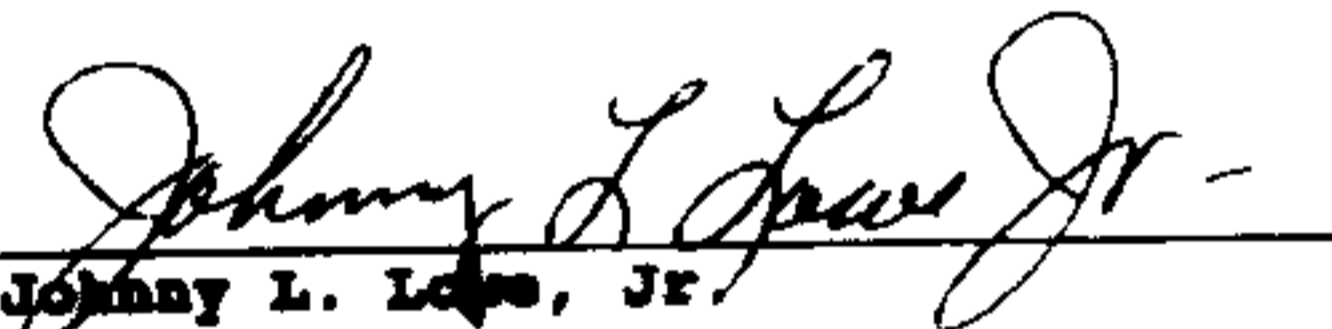
**See attached Exhibit "A"**

Now, therefore, in consideration of the premises and other good and valuable consideration, the sufficiency is hereby acknowledged, the parties agree as follows:

The Mortgagee does hereby fully subordinate and does declare to be subordinate the lien of the aforesaid mortgage to a mortgage executed to First National Bank of Shelby County, recorded in Instrument Number 1999-27221 in the Office of the Judge of Probate of Shelby County, Alabama.

In Witness Whereof, the parties hereunto set their hand and seals as of this date and year stated above.

**MORTGAGORS:**

  
Johnny L. Lowe, Jr.

  
Jean F. Lowe

**MORTGAGEE:**

✓ **FIRST NATIONAL BANK OF SHELBY COUNTY**

By:   
William R. Justice  
As Its: In-House Counsel

Inst # 1999-50728

12/16/1999-50728  
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SHELBY COUNTY JUDGE OF PROBATE  
003 HHS 14.50

**EXHIBIT "A"**

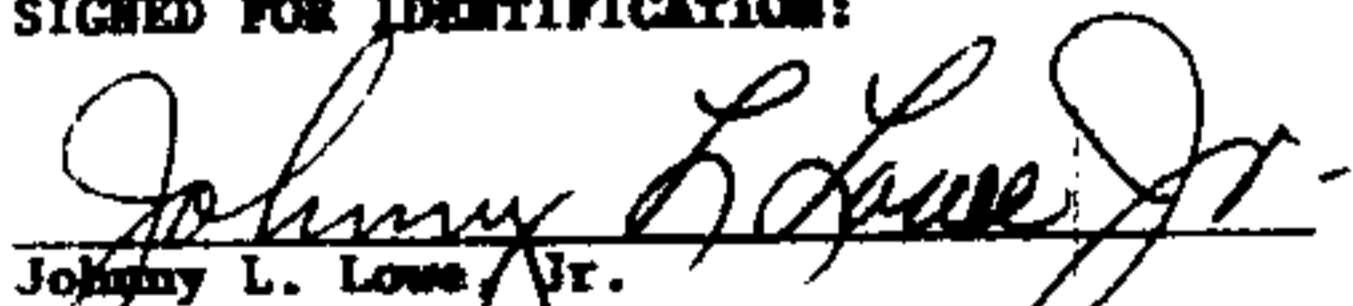
Commence at the Northwest Corner of Section 26, Township 21 South, Range 1 East; thence run South along the West boundary of said Section for 334.00 feet; thence turn a deflection angle to the left of 89 degrees 47 minutes 23 seconds and run 89.74 feet; thence turn a deflection angle to the right of 66 degrees 24 minutes 54 seconds and run along a curve to the left having a radius of 25.0 feet and central angle of 66 degrees 24 minutes 55 seconds, for an arc distance of 28.98 feet; thence run along a tangent for 109.97 feet; thence turn a deflection angle to the right of 32 degrees 36 minutes 46 seconds and run along a curve to the right, having a radius of 345.90 feet and central angle of 23 degrees 13 minutes 28 seconds for an arc distance of 140.21 feet; thence run along a tangent section for 135.00 feet to the point of beginning of the parcel herein described; thence turn a deflection angle to the left of 29 degrees 04 minutes 45 seconds and run 511.66 feet to a point; thence turn a deflection angle to the right of 128 degrees 14 minutes 16 seconds and run along the following bearings for the distances shown, being chords representing the 397 elevation contour along Lay Lake; South 65 degrees 55 minutes 34 seconds West for 100.12 feet; South 59 degrees 38 minutes 52 seconds West for 130.02 feet; South 0 degrees 26 minutes 38 seconds East for 63.68 feet; South 26 degrees 35 minutes 37 seconds West for 49.30 feet; South 39 degrees 37 minutes 56 seconds West for 31.87 feet; North 61 degrees 46 minutes 00 seconds West for 38.60 feet; South 66 degrees 38 minutes 21 seconds West for 84.60 feet; North 66 degrees 12 minutes 58 seconds West for 54.43 feet; North 7 degrees 32 minutes 39 seconds West for 93.87 feet; North 29 degrees 45 minutes 11 seconds West for 80.08 feet; North 26 degrees 31 minutes 32 seconds West for 103.17 feet; North 30 degrees 23 minutes 41 seconds West for 54.07 feet; thence leaving said 397 elevation contour, turn a deflection angle to the right of 55 degrees 38 minutes 38 seconds and run 186.19 feet to the point of beginning. Said parcel is lying in the NW 1/4 of Section 26, Township 21 South, Range 1 East, Shelby County, Alabama. According to survey of John Gary Ray, RLS #12295, dated November 27, 1998.

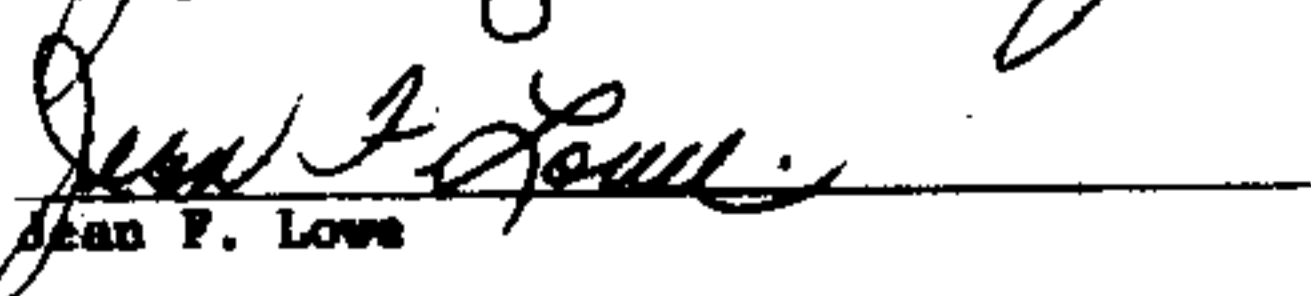
**ALSO:**

A right of way located in the NW 1/4 of the NW 1/4 of Section 26; Township 21 South, Range 1 East, Shelby County, Alabama, for ingress and egress and utilities, 60 feet wide, 30 feet on each side of the following described centerline: Commence at the Northwest corner of said Section 26; Thence run South along the West Section Line 334.00 feet; Thence turn left 89 degrees 47 minutes 23 seconds and run East 57.76 feet to the point of the beginning of said centerline; Thence run right 89 degrees 23 minutes 18 seconds and run South 45.00 feet; Thence turn left 89 degrees 23 minutes 18 seconds and run East 290.00 feet to the point of a clockwise curve having a Delta angle of 55 degrees 00 minutes 00 seconds and a radius of 175.00 feet; Thence run along the arc of said curve 167.99 feet to the point of tangent; Thence continue tangent to said curve 188.09 feet to the end of said centerline and the center of cul-de-sac with a radius of 55.00 feet.

A right of way located in the SW 1/4 of the SW 1/4 of Section 23 and in the NW 1/4 of the NW 1/4 of Section 26, Township 21 South, Range One (1) East; for ingress, egress and utilities, 60 feet wide, 30 feet on each side of the following described centerline; Commence at the Northwest corner of said Section 26; Thence run South along the West Section line 334.00 feet; Thence turn left 89 degrees 47 minutes 23 seconds and run east 57.76 feet to the point of the beginning of said centerline; Thence turn left 90 degrees 36 minutes 42 seconds and run north 1351.88 feet to the point of a clockwise curve having a delta angle of 91 degrees 07 minutes and a radius of 250.00 feet; Thence run along the arc of said curve 397.57 feet to the point of tangent; Thence continue tangent to said curve and run east 1088.98 feet to the center of a County maintained road and the end of said centerline.

**SIGNED FOR IDENTIFICATION:**

  
Johnny L. Lowe, Jr.

  
Jean F. Lowe

STATE OF ALABAMA )  
COUNTY OF SHELBY )

**ACKNOWLEDGEMENT**

On this 14<sup>th</sup> day of December, 1999, I, the undersigned authority a Notary Public in and for said County in said State do hereby certify that Johnny L. Lowe, Jr. and Jean F. Lowe, husband and wife, whose names are signed to the foregoing instrument, and who are informed of the contents of said instrument, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 14<sup>th</sup> day of December, 1999.

Heather S. Davis  
Notary Public

My Commission Expires: 2/24/2002

STATE OF ALABAMA )  
COUNTY OF SHELBY )

**ACKNOWLEDGEMENT**

I, the undersigned authority, a Notary Public, in and for said County and in said State, hereby certify that William R. Justice, whose name as In House Counsel for First National Bank of Shelby County, a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that, being informed of the contents of said instrument, he, as such In House Counsel, and with full authority, executed the same voluntarily for and as the act of said Bank on the day the same bears date.

Given under my hand and official seal this 15<sup>th</sup> day of December, 1999.

Francis H. Sammons  
Notary Public

My Commission Expires: 6-7-00

Inst. # 1999-50728

12/16/1999-50728

02:43 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

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