

SUBORDINATION AGREEMENT

This Agreement made this date by and between APCO Employees Credit Union (herein called First Party), and Pinnacle Bank (herein called Second Party).

Whereas, First Party is the owner and holder of that certain mortgage recorded in Instr. 2000-44316, executed by Jeff Beasley and Angela Beasley in the Probate Office of Shelby County, Alabama, which mortgage encumbers the property described as follows:

See Attached Exhibit A for Legal Description

Whereas, the Second Party will not make the said loan unless the First Party subordinates its mortgage to that mortgage to the Second Party.

Now therefore in consideration of One Dollar and other good and valuable consideration, the Parties hereto agree as follows:

The First Party, APCO Employees Credit Union, consents and agrees that the lien of its mortgage recorded in Instr. #2000-44316 is and shall continue to be, subject and subordinate in lien to the lien of the mortgage in the amount of \$152,750.00 being made to the Second Party, Pinnacle Bank, which mortgage is recorded in Instr. #2001-03506 the said Probate Office.

Done this 23 day of January, 2001.

APCO EMPLOYEES CREDIT UNION

BY: V. Merrill Mann
Its Vice President, V. Merrill Mann

STATE OF ALABAMA)

COUNTY OF Jefferson)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that V. Merrill Mann, whose name as Vice President of APCO Employees Credit Union, 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 the instrument, 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 the 23 day of January, 2001.

[Signature]
Notary Public

3-14-2004

02/01/2001-03505
09:13 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CJ1 14.00

Inst # 2001-03505

EXHIBIT "A"

A parcel of land situated in the SW 1/4 of the NE 1/4 of Section 36, Township 21 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows: Commence at an old axle locally accepted to be the Northeast corner of quarter-quarter section; thence run south along the east line of said quarter-quarter section for a distance of 701.87 feet to 1 inch capped iron found; thence turn an angle to the right of 88 degrees, 24 minutes, 45 seconds and run in a westerly direction for a distance of 1,238.44 feet to a 1 inch pipe found; thence turn an angle to the left of 88 degrees, 27 minutes and run in a southerly direction for a distance of 68.37 feet to an iron pin found at the point of beginning; thence continue along last stated course for a distance of 146.63 feet to an iron pin set; thence turn an angle to the left of 90 degrees, 00 minutes, 00 seconds and run in a easterly direction for a distance of 165.00 feet to an iron pin set; thence turn an angle to the left of 90 degrees, 00 minutes, 00 seconds and run in a northerly direction for a distance of 146.63 feet to an iron pin set; thence turn an angle to the left of 90 degrees, 00 minutes, 00 seconds and run in a westerly direction for a distance of 165.00 feet to point of beginning.

ALSO, A NON-EXCLUSIVE ROADWAY EASEMENT FOR THE PURPOSE OF INGRESS AND EGRESS TO THE ABOVE PROPERTY, WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commence at the NW corner of the SE 1/4 of NW 1/4, Section 36, Township 21 South, Range 1 West, thence run westerly along the north line of the SW 1/4 of NW 1/4 of said Section 36, a distance of 97.11 feet to a point; thence turn an angle of 90 degrees to the left and run in southerly direction for a distance of 772.72 feet to a point on the easternmost 40 foot right of way line of Shelby County Highway 47; which is the point of beginning of the 60 foot easement herein described; thence turn an angle of 90 degrees 15 minutes 50 seconds to the left and run a distance of 293.38 feet to a point; thence run along a curve to the right (concave southerly) having a central angle of 11 degrees, 15 minutes, 05 seconds and a radius of 537.60 feet for an arc distance of 105.57 feet to a point; thence run along the tangent of said curve a distance of 19.54 feet to a point; thence run along a curve to the left (concave Northerly) having a central angle of 7 degrees 17 minutes 22 seconds and a radius of 748.98 feet, an arc distance of 95.29 feet to a point; thence run along the tangent of said curve a distance of 186.36 feet to a point; thence run along a curve to the left (concave northerly) having a central angle of 14 degrees, 18 minutes, 59 seconds and a radius of 365.14 feet, an arc distance of 91.24 feet to a point; thence run along the tangent of said curve for a distance of 46.64 feet to a point; thence run along a curve to the right (concave southerly) having a central angle of 9 degrees, 17 minutes, 42 seconds and a radius of 649.41 feet, an arc distance of 105.35 feet to a point; thence run along the tangent of said curve a distance of 598.94 feet to a point; thence turn an angle of 92 degrees, 49 minutes, 58 seconds to the right and run a distance of 734.55 feet to a point; thence turn an angle of 90 degrees, to the right and run a distance of 60.00 feet to a point; thence turn an angle of 90 degrees to the right and run 671.50 feet to a point; thence turn an angle of 92 degrees, 49 minutes, 58 seconds to the left and run a distance of 535.89 feet to a point; thence run along a curve to the left (concave southerly) having a central angle of 9 degrees, 17 minutes, 42 seconds and a radius of 589.41 feet, an arc distance of 95.62 feet to a point; thence run along the tangent of said curve a distance of 46.64 feet to a point; thence run along to a curve to the right (concave northerly) having a central angle of 14 degrees, 18 minutes, 59 seconds and a radius of 425.14 feet, an arc distance of 106.23 feet to a point; thence run along a tangent of said curve a distance of 186.36 feet to a point; thence run along a curve to the right (concave northerly) having a central angle of 7 degrees, 17 minutes, 22 seconds and a radius of 808.98 feet, an arc distance of 102.92 feet to a point; thence run along the tangent of said curve a distance of 19.54 feet to a point; thence run along a curve to the left (concave southerly) having a central angle of 11 degrees, 15 minutes, 05 seconds and a radius of 477.60 feet, arc distance of 93.79 feet to a point; thence run along the tangent of said curve a distance of 275.00 feet to a point on the easternmost 40 foot right of way line of Shelby County Highway 47; thence run northerly along said right of way line a distance of 62.76 feet to the point of beginning; said easement is lying in the SW 1/4 of NW 1/4 and SE 1/4 of the NW 1/4 Section of 36, Township 21 South, Range 1 West, situated in Shelby County, Alabama.

Inst. # 2001-03-50
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