

SUBORDINATION AGREEMENT

WHEREAS, Linda Charlene Young Niemann (a/k/a Charlene Y. Niemann) and husband, Kurt M. W. Niemann executed a Mortgage to Central Bank of the South and the same was recorded in Real 176, Page 602 in the Probate Office of Shelby County, Alabama, and said mortgage was subsequently supplemented and amended by a mortgage to Compass Bank (formerly Central Bank of the South) recorded in Instrument #2000-24725 in the Probate Office of Shelby County, Alabama, and

WHEREAS, Kurt M. W. Niemann and wife, Charlene Y. Niemann have on February \_\_\_, 2001, executed a mortgage to Compass Bank securing a debt in the amount of \$600,000.00, and

WHEREAS, Compass Bank agrees to subordinate its mortgage recorded in Real 176, Page 602 and Instrument No. 2000-24725 to the mortgage of Compass Bank referred to above,

NOW THEREFORE, the undersigned Compass Bank hereby subordinates its mortgage recorded in Real 176, Page 602 and Instrument No. 2000-24725 in the Probate Office of Shelby County, to that certain mortgage executed by Kurt M. W. Niemann and wife Charlene Y. Niemann dated February 9, 2001 and recorded in Instrument # 2001-05358, in the Probate Office of Shelby County, Alabama.

Done this 9th day of February, 2001.

Compass Bank

By: Jan Bredall  
Its Relationship Manager

STATE OF ALABAMA:  
JEFFERSON COUNTY:

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jan Bredall whose name as Relationship Manager of Compass Bank 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 said Compass Bank.

Given under my hand this the 9th day of February, 2001.

[Signature]  
Notary Public  
My Commission Expires: 8/21/03

02/15/2001-05359  
11:42 AM CERTIFIED  
JUDGE OF PROBATE

Inst # 2001-05359