

SUBORDINATION AGREEMENT

This Agreement made this date by SouthTrust Bank of Alabama, National Association (herein called First Party), in favor of SouthTrust Mortgage Corporation (herein called Second Party).

Whereas, First Party is the owner and holder of that certain mortgage recorded in Instrument 1998-17007 and modified in Instrument 2001-01263, in the Probate Office of Shelby, Alabama, which said mortgage encumbers the property described as follows:

FOR LEGAL DESCRIPTION SEE ATTACHED SHEET MARKED EXHIBIT "A"

Whereas, Second Party, on February 15, 2001, made a loan secured by a mortgage executed by Leroy V. Berry and Gloria N. Berry, Husband and Wife in the amount of \$225,000.00 secured by a mortgage on the above-described property; and

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

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

The First Party, SouthTrust Bank of Alabama, National Association, consents and agrees that the mortgage recorded in Instrument 1998-17007 and modified in Instrument 2001-01263, in the Probate Office of Shelby County, Alabama with the maximum available credit on said mortgage is \$200,000.00, is and shall continue to be, subject and subordinate in lien to the lien of the mortgage being made to the Second Party, which mortgage is recorded as Instrument 2001-06168 in the Probate Office of Shelby County, Alabama.

Dated this 13 day of February 2001.

SOUTHTRUST BANK OF ALABAMA
NATIONAL ASSOCIATION

By: Stephen A. Pierce
Its: Asst. Vice Pres.

State of Alabama
County of Jefferson

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Stephen A. Pierce, whose name as Asst. Vice President of SouthTrust Bank of Alabama, 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 on the date the same bears date for and as the act of said corporation.

Given under my hand and official seal this the 13th day of February, 2001.

Sybil D. Cummings
NOTARY PUBLIC

My Commission Expires:

SYBIL D. CUMMINGS

MY COMMISSION EXPIRES 9-25-02

Inst # 2001-06169

02/22/2001-06169

11:08 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

002 HMB

14.00

EXHIBIT "A"

Lot 205, according to the Survey of Riverchase Country Club, 9th Addition, as recorded in Map Book 8, Page 46 A & B, in the Probate Office of Shelby County, Alabama.

Inst # 2001-06169

**02/22/2001-06169
11:08 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE**

001: HMB 14.00