

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 #2000-40745, in the Probate Office of Shelby County, Alabama, which said mortgage encumbers the property described as follows:

LOT 9, ACCORDING TO THE SURVEY OF THE HIGHLANDS, FIRST SECTOR, AS RECORDED IN AMENDED MAP BOOK 19, PAGE 132, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

Whereas, Second Party, on September 6, 2001, made a loan secured by a mortgage executed by William Dennis Nemeth and Cynthia M. Nemeth, Husband and Wife, in the amount of \$118,000.00 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 #2000-40745, in the Probate Office of Shelby County, Alabama, with the maximum available credit on said mortgage is \$92,500.00, 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 2001-39610 in the Probate Office of Shelby County, Alabama.

Dated this 5 day of Sept., 2001.

SOUTHTRUST BANK OF ALABAMA, NATIONAL ASSOCIATION

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

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, National Association, 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 5th day of Sept., 2001.

Linda T. Myers
NOTARY PUBLIC
My Commission Expires:

09/13/2001-39611
09:00 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 CH 11.00

Inst # 2001-39611