

**SUBORDINATION OF MORTGAGE**

This SUBORDINATION OF MORTGAGE executed this 15<sup>th</sup> day of February, 2002 by Nexity Bank (hereinafter referred to as the "Mortgagee").

WITNESSETH:

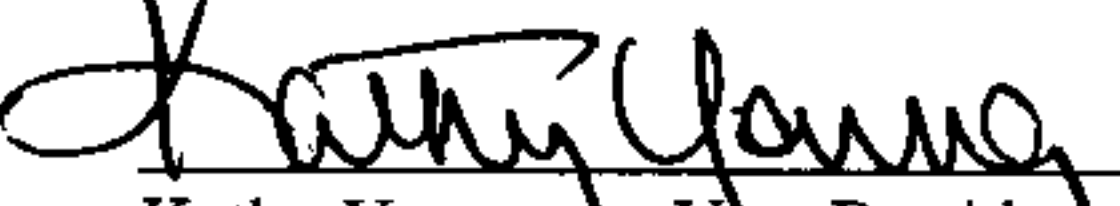
WHEREAS, Mortgagee is the owner and holder of that certain first mortgage from Randall H. Goggans, a married man, dated March 5, 2001 and recorded in Instrument #2001-7815 in the Probate Office of Shelby County, Alabama.

WHEREAS, Randall H. Goggans, a married man has had the property described in said mortgage resurveyed and this resurvey includes an easement described in Exhibit "A" attached.

NOW THEREFORE, for and in consideration of the premises hereof and of the mutual advantages and benefits accruing to the parties hereto, Nexity Bank does consent and agree to subordinate the above mentioned mortgage to the easement described in Exhibit "A" attached.

IN WITNESS WHEREOF, this agreement is executed the day and year first above written.

NEXITY BANK

  
Kathy Young, its Vice President

**STATE OF ALABAMA**

**JEFFERSON COUNTY**

I, the undersigned authority, a Notary Public in and for said County in said state, hereby certify that Kathy L. Young, as Vice President/Loan Officer of Nexity 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, she as such officer and with full authority, executed the same voluntarily.

Given under my hand and official seal this 15<sup>th</sup> day of February, 2002.

  
Notary Public

My Commission Expires **MICHAEL GOLDSTEIN**  
**COMMISSION EXPIRES AUGUST 1, 2004**

Inst. # 2002-08953

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SHELBY COUNTY JUDGE OF PROBATE  
14.00  
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Also a 60' Ingress/Egress, Utility and Drainage lying 30' on either side of and parallel to the following described centerline:

Commence at the SE Corner of the SW 1/4 of the NE 1/4 of above said Section, Township and Range; thence N88°54'25"W and along the 1/4-1/4 line, a distance of 532.21'; thence N01°03'39"E, a distance of 267.12'; thence N67°11'54"W, a distance of 168.28'; thence N84°06'30"W, a distance of 109.45' to the POINT OF BEGINNING OF SAID EASEMENT; thence N17°40'40"E, a distance of 147.80' to a point, said point being the beginning of a non tangent curve to the right, having a radius of 216.49', a central angle of 29°59'52", and subtended by a chord which bears N39°42'08"E, and a chord distance of 112.06'; thence along the arc of said curve, a distance of 113.35'; thence N48°38'48"E, a distance of 96.07' to a point, said point being the beginning of a non tangent curve to the left, having a radius of 252.23', a central angle of 23°25'36", and subtended by a chord which bears N32°11'57"E, and a chord distance of 102.41'; thence along the arc of said curve, a distance of 103.13' to a point of a reverse curve to the right, having a radius of 518.87', a central angle of 12°23'36", and subtended by a chord which bears N40°23'13"E, and a chord distance of 112.01'; thence along the arc of said curve, a distance of 112.23'; thence N59°22'02"E, a distance of 126.72' to a point, said point being the beginning of a non tangent curve to the left, having a radius of 138.33', a central angle of 35°39'31", and subtended by a chord which bears N30°00'34"E, and a chord distance of 84.71'; thence along the arc of said curve, a distance of 86.09' to a point of a reverse curve to the right, having a radius of 249.96', a central angle of 40°51'02", and subtended by a chord which bears N17°04'04"E, and a chord distance of 174.47'; thence along the arc of said curve, a distance of 178.22'; thence N51°11'49"E, a distance of 114.24' to a point, said point being the beginning of a non tangent curve to the right, having a radius of 1,816.53', a central angle of 06°47'23", and subtended by a chord which bears N88°45'49"E, and a chord distance of 215.14'; thence along the arc of said curve, a distance of 215.26' to the point of a compound curve to the right, having a radius of 218.72', a central angle of 36°25'06", and subtended by a chord which bears N71°56'26"E, and a chord distance of 136.70'; thence along the arc of said curve, a distance of 139.02' to a point of reverse curve to the left, having a radius of 79.74', a central angle of 114°17'07", and subtended by a chord which bears N69°47'45"E, and a chord distance of 133.97'; thence along the arc of said curve, a distance of 159.05'; thence N07°32'58"E, a distance of 101.20' to a point, said point being the beginning of a non tangent curve to the right, having a radius of 249.83', a central angle of 17°32'07", and subtended by a chord which bears N07°27'10"E, and a chord distance of 76.16'; thence along the arc of said curve, a distance of 76.46' to the END OF SAID EASEMENT.

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