

SUBORDINATION AGREEMENT

THIS SUBORDINATION OF MORTGAGE executed this 25th day of February, 2002 by Regions Bank (hereinafter referred to as the "Mortgagee").

"WITNESSETH"

WHEREAS, Mortgagee is the owner and holder of that certain Mortgage from Gregg W. Thomas and Diane M. Thomas to Regions Bank (with a Maximum line of \$16,000.00 available to draw) recorded in Instrument No. 2001-49986 in the Probate Office of Shelby County, Alabama more particularly described as follows:

**Lot 27, according to the Survey of Brookhaven, Sector 2,
As recorded in Map Book 11, page 4, in the Probate Office
Of Shelby County, Alabama.**

AND WHEREAS, National Bank of Commerce of Birmingham is making a mortgage loan to Gregg W. Thomas and Diane M. Thomas (to refinance the original first mortgage loan to SouthTrust Mortgage Corporation recorded in Instrument No. 1997-41371 in the Probate Office of Shelby County, Alabama) in the amount of \$158,000.00 said loan secured by a mortgage which encumbers the above described property.

WHEREAS, National Bank of Commerce of Birmingham, as a condition for making a new mortgage loan, requires Mortgagee to subordinate the lien of its mortgage to the lien of the new National Bank of Commerce of Birmingham mortgage and Mortgagee has agreed to do so.

NOW, THEREFORE, for an in consideration of the premises hereof and of the mutual advantages and benefits accruing to the parties hereto, and in further consideration of the sum of TEN DOLLARS in hand paid by National Bank of Commerce of Birmingham to mortgagee, the receipt and sufficiency of which is hereby acknowledged, Mortgagee does hereby covenant, consent and agree to and with National Bank of Commerce of Birmingham, that the lien of Regions Bank, shall be and the same is hereby made subordinate, inferior, and subject in every respect to the lien of National Bank of Commerce of Birmingham which was granted by Gregg W. Thomas and Diane M. Thomas, to refinance the original first mortgage recorded in Instrument No. 1997-41371 in the Probate Office of Shelby County, Alabama, which encumbers the above described property; provided, however that this subordination is limited to the amount of \$158,000.00.

Inst # 2002-11700

**03/11/2002-11700
03:50 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CH 14.00**

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

Signed, sealed and delivered
in the presence of:

REGIONS BANK

Clara J. Adams BY: Valorie Lee
Valorie Lee
Loan Officer

STATE OF ALABAMA

JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County in said state, hereby certify that Valorie Lee, Loan Officer, St. Vincents Branch, 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 25th day of February, 2002.

Patricia A. Griggs
Notary Public
Commission Expires _____



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