

DECLARATION OF SUBORDINATION

THIS INSTRUMENT SERVES TO DECLARE THAT CERTAIN MORTGAGE, FROM EDWARD ENGLISH AND WIFE, DONNA C. ENGLISH, TO SOUTHTRUST BANK, WITH A MAXIMUM AMOUNT OF \$72,193.00, HELD BY THE UNDERSIGNED, WHICH SAID MORTGAGE IS RECORDED IN INSTRUMENT NO. 2001-39062, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, SHALL BE AND IS DECLARED TO BE SECOND AND SUBORDINATE TO THE FOLLOWING DESCRIBED FIRST MORTGAGE:

THAT CERTAIN MORTGAGE FROM EDWARD ENGLISH AND WIFE, DONNA C. ENGLISH, TO SOUTHTRUST MORTGAGE CORPORATION IN THE AMOUNT OF FIVE HUNDRED SEVENTY-TWO THOUSAND SEVEN HUNDRED AND 00/100 (\$572,700.00), WHICH SAID MORTGAGE IS RECORDED IN INSTRUMENT NO. INSTRUMENT NO. 20020508000217240 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SAID PROPERTY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 421, ACCORDING TO THE SURVEY OF HIGHLAND LAKES, 4TH SECTOR, PHASE I, AN EDDLEMAN COMMUNITY, AS RECORDED IN MAP BOOK 19, PAGE 79 A & B, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, BEING SITUATED IN SHELBY COUNTY, ALABAMA.

TOGETHER WITH NONEXCLUSIVE EASEMENT TO USE THE PRIVATE ROADWAYS, COMMON AREA ALL AS MORE PARTICULARLY DESCRIBED IN THE DECLARATION OF EASEMENTS AND MASTER PROTECTIVE COVENANTS FOR HIGHLAND LAKES, A RESIDENTIAL SUBDIVISION, RECORDED AS INSTRUMENT #1994-07111 AND AMENDED IN INSTRUMENT #1996-17543 AND FURTHER AMENDED IN INST. #1999-31095, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, AND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HIGHLAND LAKES, A RESIDENTIAL SUBDIVISION, 4TH SECTOR, RECORDED AS INSTRUMENT #1995-1906 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

IN WITNESS WHEREOF THIS INSTRUMENT HAS BEEN EXECUTED ON THIS THE 19 DAY OF ~~MARCH~~, 2002.

April

SOUTHTRUST BANK

BY:

John R. Day
Vice Pres.

STATE OF ALABAMA)
Jefferson COUNTY)

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, HEREBY CERTIFY THAT John R. Day WHOSE NAME AS Group Vice Pres. OF SOUTHTRUST BANK EXISTING UNDER THE LAWS OF THE UNITED STATES, 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 FOR AND AS THE ACT OF SAIL CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 19 DAY OF ~~MARCH~~, 2002. April

MY COMMISSION EXPIRES:

MY COMMISSION EXPIRES MAY 30, 2005.

Linda T. Myers
NOTARY PUBLIC

This Instrument Prepared By:
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CLAYTON T. SWEENEY, ATTORNEY AT LAW