

SUBORDINATION AGREEMENT

20020815000386950 Pg 1/1 11.00
Shelby Cnty Judge of Probate, AL
08/15/2002 10:36:00 FILED/CERTIFIED

This Agreement made this date by Compass Bank (herein called First Party), in favor of Charter One Mortgage Corporation (herein called Second Party).

Whereas, First Party is the owner and holder of that certain mortgage recorded in Instrument #2002-14268, in the Probate Office of Shelby County, Alabama, which said mortgage encumbers the property described as follows:

LOT 72, ACCORDING TO THE FINAL RECORD PLAT OF GREYSTONE FARMS, MILL CREEK SECTOR, PHASE 1, AS RECORDED IN MAP BOOK 22, PAGE 25, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

Whereas, Second Party, on August 9, 2002, made a loan secured by a mortgage executed by Robin L. Rutenberg, an unmarried woman, in the amount of \$80,000.00 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, Compass Bank, consents and agrees that the mortgage recorded in Instrument #2002-14268, in the Probate Office of Shelby County, Alabama, with the maximum available credit on said mortgage is \$5,000,000, 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 #20020815000386940 in the Probate Office of Shelby County, Alabama.

Dated this ___ day of August, 2002.

COMPASS BANK
By: [Signature]
Its: Vice President

State of Alabama
County of Jefferson Walker

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that TS Byrd, whose name as Vice Pres of Compass Bank, 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 bank.

Given under my hand and official seal this the 9 day of August, 2002.

[Signature]
NOTARY PUBLIC
My Commission Expires: 12-15-02