

SUBORDINATION AGREEMENT

Pursuant to the terms of the mortgage entered into by and between Wilton H. McDavid and Rhonda R. McDavid to National Bank of Commerce of Birmingham on January 23, 2002 and recorded in Instrument Number 2002-10255 in the Probate Office of Shelby County, Alabama.

National Bank of Commerce of Birmingham does declare the lien of its mortgage dated January 23, 2002 and recorded in Instrument Number 2002-10255 in the Probate Office of Shelby County, Alabama to be second and subordinate to the lien of mortgage given by Mortgage South in the amount of Two Hundred Eighty-^{2 HB} SEVEN Thousand and no/100----- (\$287,000.00^{2 HB}) executed on September 9, 2002 recorded in the Probate Office of Shelby County, Alabama.

Both mortgages are encumbering certain real property described as:

Lot 48, according to the Survey of Heatherwood Fourth Sector First Addition, as recorded in Map Book 11, page 32, in the Probate Office of Shelby County, Alabama.

IN WITNESS WHEREOF, this Subordination Agreement has been executed on this 9th of September 2002.

Wilton H. McDavid, III
Wilton H. McDavid, III

Rhonda R. McDavid
Rhonda R. McDavid

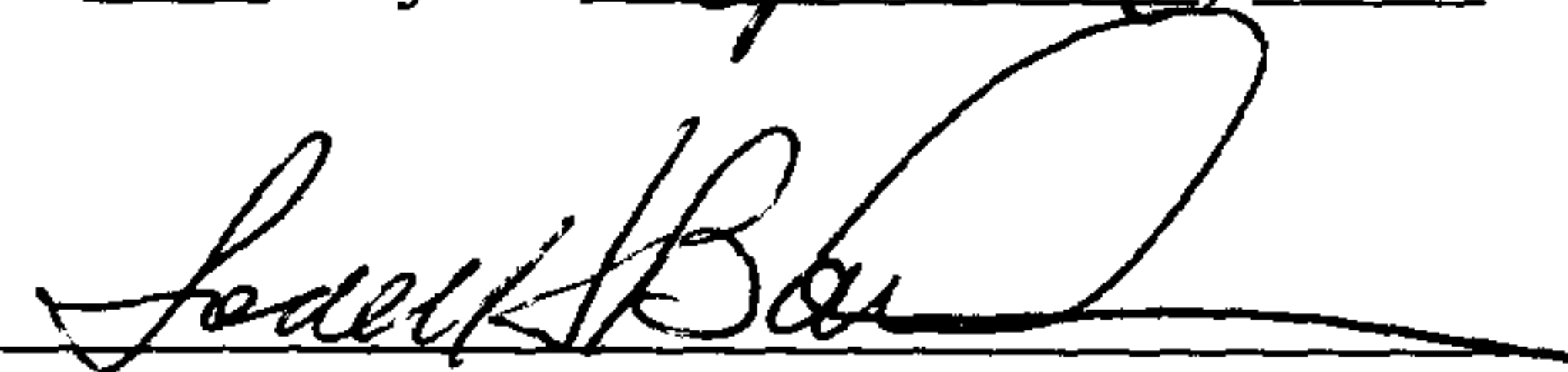
NATIONAL BANK OF COMMERCE
OF BIRMINGHAM

BY: Jaines [Signature]
Its: Private Banking Officer

STATE OF ALABAMA)
COUNTY)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Wilton H. McDavid, III whose name 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 said instrument, he executed the same voluntarily on the date the same bears date.

Given under my hand and official seal of office this 9th day of September, 2002.


Notary Public


AFFIX SEAL

My Commission Expires: 07/20/05

STATE OF ALABAMA)
COUNTY OF)

I, the undersigned, a Notary Public, in and for said county in said state hereby certify that Gaines Greiner whose name as Private Banking Officer of National Bank of Commerce of Birmingham is signed to the foregoing Agreement and who is known to me acknowledged before me that being informed of the contents of the above and foregoing Agreement he or she, in his/her capacity as such officer executed the same for and as the act of said corporation.

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


Notary Public

AFFIX SEAL

My Commission Expires: 07/20/05