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Shelby Cnty Judge of Probate, AL
10/03/2002 11:49:00 FILED/CERTIFIED

SUBORDINATION AGREEMENT

The undersigned, Nexity Bank is the holder and owner of a Mortgage made by Peggy M. Funderburg and Robert R. Funderburg, Jr. (hereinafter designated as the "Borrower"), recorded in Instrument #2001-4740 Shelby County, Alabama Records.

The said Borrower has applied for a loan in the sum of \$105,000.00 to be secured by a first mortgage (the "First Mortgage") conveying said property to SouthFirst Mortgage, Inc. (hereinafter designated as the "Lender"), and the proceeds of said loan will be used to satisfy in full the present lien in favor of Bank of Oklahoma, N.A.. The Lender has declined to make such loan unless the mortgage to Nexity Bank shall be subordinated to said new loan and the mortgage securing same.

THEREFORE, in consideration of ONE DOLLAR (\$1.00) in hand paid by the said Borrower to the undersigned, and in consideration of the consummation of said loan in reliance upon this instrument, the Nexity Bank hereby subordinates all right, title, or interest under the mortgage above set forth, or otherwise, in or to the property therein described, as against said loan to be so made by the Lender, so that the First Mortgage to be executed by the said Borrower to the Lender shall convey title to said property superior to the mortgage of Nexity Bank and superior to the indebtedness thereby secured. This Subordination Agreement shall be binding upon the heirs and assigns of Nexity Bank and shall operate to the benefit of the grantee in the First Mortgage, the successors and assigns of said grantee, and of any purchaser at any foreclosure sale thereunder, and shall apply with like force and effect to any renewal thereof.

The mortgage now held by Nexity Bank shall remain otherwise in full force and effect, the subordination herein provided being limited in application to the proposed loan herein set forth, or any renewal thereof.

WITNESS the hand and seal of the undersigned, this the

19th day of September 2002.

Nexity Bank

BY: Randy Little
Its: VP. Consumer Lending

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned Notary Public, in and for said State and County, hereby certify that RANDY LITTLE whose name as V.P. CONSUMER LENDING of Nexity Bank, a corporation, is signed to the foregoing Subordination, and who is known to me, acknowledged before me on this day that, being informed of the contents of the subordination, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said Nexity Bank.

Given under my hand and official seal this the 19th day of SEPTEMBER, 2002.

Michael Goldstein
NOTARY PUBLIC

MICHAEL GOLDSTEIN

MY COMMISSION EXPIRES AUGUST 1, 2004

My Commission Expires: _____

