

**Subordinate Agreement**

This Subordination of Mortgage is executed this 24<sup>th</sup> day of October, 2002 by Heritage Bank.

**Witnesseth**

WHEREAS, Heritage Bank is the owner and holder of that certain mortgage in the amount of One Hundred Thirty Thousand Dollars (\$130,000.00) from John M. Collier and Julie M. Collier on June 11, 2001, in Instrument Number 2001-33323, in the Probate Office of Shelby County, Alabama, said property being more particularly described as follows:

Lot 45, According to the Survey of Greystone, 4<sup>th</sup> Sector, as recorded in Map Book 16, Page 89 A, B, and C, in the Probate office of Shelby County.

WHEREAS, AmSouth Mortgage Corporation has made a mortgage loan in the amount of Five Hundred Sixty Thousand Dollars (\$560,000.00) to John M. Collier and Julie M. Collier recorded on

20021105000548980  
in Instrument Number \_\_\_\_\_, in the Probate Office of Shelby County, said loan secured by a mortgage which encumbers the above described real property.

WHEREAS, AmSouth Mortgage Corporation, as a condition for making a first mortgage loan requires Heritage Bank to subordinate the lien of its mortgage to the lien of AmSouth Mortgage Corporation and Heritage Bank has agreed to do so.

NOW THEREFORE, for and in consideration of the premises hereof and of mutual advantages and benefits accruing to the parties hereto, Heritage Bank does hereby covenant, consent and agree to and with AmSouth Mortgage Corporation that the lien of Heritage Bank shall be and the same is hereby made subordinate, inferior and subject in every respect to the lien of AmSouth Mortgage Corporation, which encumbers the above described property provided, however, that the subordination is limited to the amount of One Hundred Thirty Thousand Dollars (\$130,000.00).

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

Signed, sealed and delivered in the presence of:

Heritage Bank

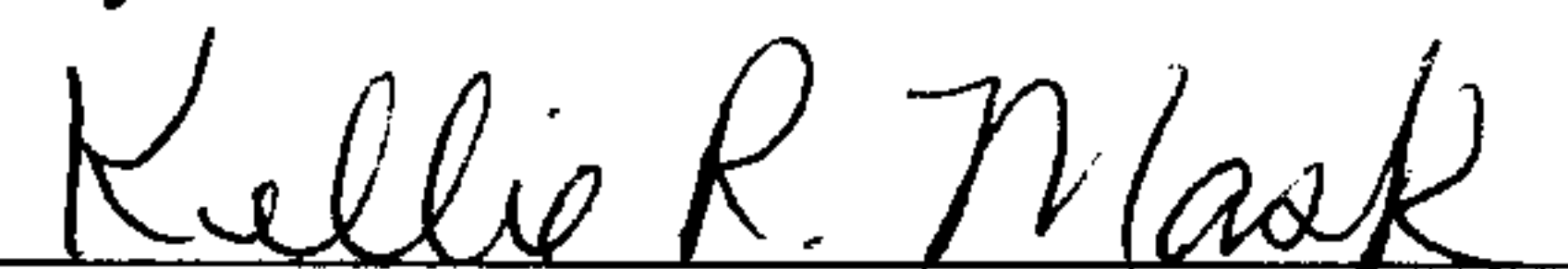
BY:   
Jayme Martin  
ITS: Banking Officer

STATE OF ALABAMA       )  
JEFFERSON COUNTY       )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jayme Martin whose name is signed to the foregoing instrument, and who is know to me, acknowledged before me on this day, that being informed of the content of said instrument, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this 24<sup>th</sup> day of October, 2002.

Notary Public

  
Kellie R. Mask

My commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Feb 16, 2005  
BONDED THRU NOTARY PUBLIC UNDERWRITERS