

SUBORDINATION AGREEMENT

THIS SUBORDINATION AGREEMENT is made this 12th day of November 2002, by and between Capital One, FSB (hereinafter "Capital One") and Southtrust Mortgage Corporation (hereinafter "mortgagee").

Hal D Leathers ("Borrower") executed and delivered to Capital One a mortgage or deed of trust in the sum of \$ 10,000.00 and recorded July 11, 2001 as Instrument Number 2001-28911, in the records of SHELBY county, which mortgage or deed of trust is a lien on the following described property:

Legal Description:

THE FOLLOWING DESCRIBED REAL ESTATE, LYING AND BEING IN THE COUNTY OF SHELBY, STATE OF ALABAMA, TO-WIT: LOT 28, ACCORDING TO SURVEY OF BRYNLEIGH ESTATES, AS RECORDED IN MAP BOOK 19, PAGE 139, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

WHEREAS, Mortgagee is making a mortgage loan on or about this date to Borrower encumbering the same real property described in the Legal Description above.

WHEREAS, Mortgagee is willing to make such loan to Borrower provided that Capital One unconditionally subordinates the lien of its mortgage or deed of trust to the lien in favor of Mortgagee.

WHEREAS, Capital One has agreed to subordinate to Mortgagee on the following conditions:

1. Subordination of Lien: Capital One hereby subordinates its lien position in and on the property to Mortgagee's mortgage or deed of trust and the lien itself thereof, as if Mortgagee's mortgage or deed of trust had been recorded first in time to Capital One, and so that all public records will reflect Mortgagee's mortgage or deed of trust to be superior in lien to the mortgage or deed of trust of Capital One.

2. This subordination shall be binding upon and inure to the benefit of the respective heirs, successors, and assigns of borrower and lender.

IN WITNESS WHEREOF, the parties hereto have set their hands hereto as of the date first written above.

Representative for Capital One, FSB

SIGN: 

PRINT: Richard Peay

TITLE: Group Manager

WITNESS:

Sign: 

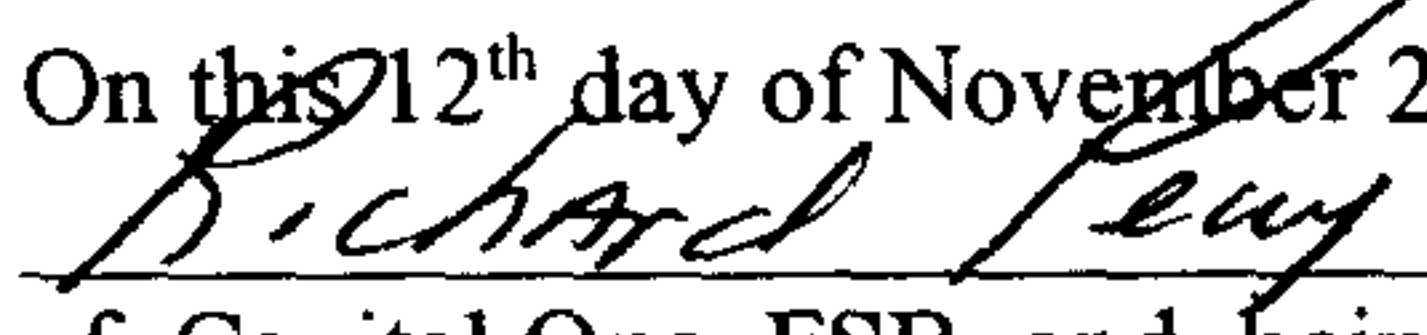
Print: Keshia Hill

WITNESS:

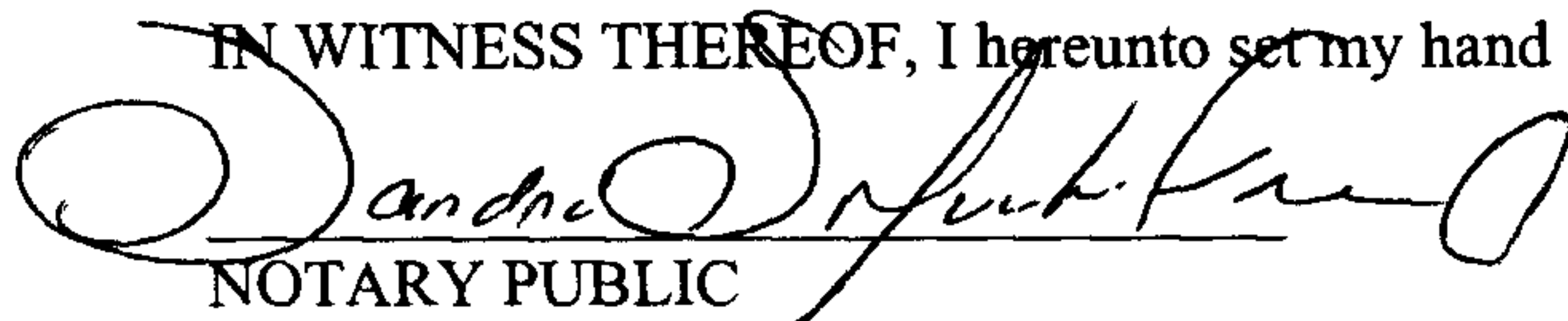
Sign: 

Print: Cherie Holt

STATE OF VIRGINIA
COUNTY OF HENRICO

On this 12th day of November 2002, before me, the undersigned officer, personally appeared  who acknowledged himself/herself/themselves to be the Group Manager of Capital One, FSB and, being authorized to do so, executed the foregoing SUBORDINATION AGREEMENT for the purpose therein contained by signing the name of the corporation hereto.

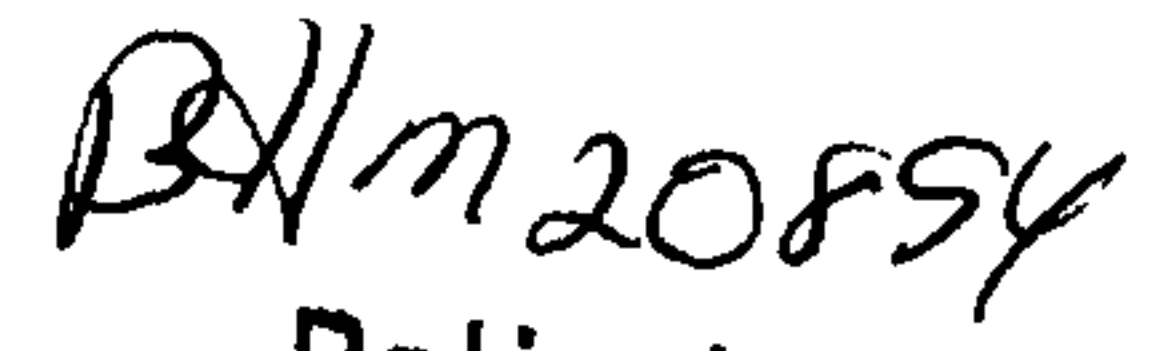
IN WITNESS THEREOF, I hereunto set my hand and official seal.


NOTARY PUBLIC

SEAL:

MY COMMISSION EXPIRES:

My Commission Expires July 31, 2006


Reli, Inc.
the TITLE and CLOSING PROFESSIONALS
3595 Grandview Pkwy, Ste 350
Birmingham, AL 35243