

BHM 20547

## SUBORDINATION AGREEMENT

STATE OF ALABAMA  
COUNTY OF SHELBY

THAT, WHEREAS, WILLIAM A. GARWICK AND SPOUSE, PATRICIA ANN HUMPHREY GARWICK, have an outstanding lien in favor of COMPASS BANK, dated the 20TH day of JULY, 1999 recorded in the Probate Office of SHELBY COUNTY, Alabama, in Inst. # 1999/33714 on certain real estate described herein to secure an indebtedness of \$~~25,000~~<sup>50,000</sup>.00, and said lien is in full force and effect, and,

WHEREAS, WILLIAM A. GARWICK AND SPOUSE, PATRICIA ANN HUMPHREY GARWICK have made an application to SOUTHTRUST MORTGAGE CORPORATION for a loan in the sum of \$188,500.00 and said to SOUTHTRUST MORTGAGE CORPORATION is willing to make said loan to the said WILLIAM A. GARWICK AND SPOUSE, PATRICIA ANN HUMPHREY GARWICK, provided he/she/they furnish it with a mortgage on the lands described in the aforesaid lien, and the said COMPASS BANK subordinate the above described lien and make the same second and subservient to the mortgage to SOUTHTRUST MORTGAGE CORPORATION, as recorded in INST.# 20020916000445190 and,

WHEREAS, the said COMPASS BANK is willing to subordinate its said lien and make the lien second and subservient to the mortgage of the said to SOUTHTRUST MORTGAGE CORPORATION as an inducement to it to make said loan.

IT IS FURTHER agreed that should default in the payments under the terms of the real estate mortgage to COMPASS BANK, the said Lender agrees to notify to SOUTHTRUST MORTGAGE CORPORATION of said default prior to taking legal action.

IN WITNESS WHEREOF, the said COMPASS BANK has caused its name to be hereunto signed on the 9th day of DECEMBER, 2002.

COMPASS BANK

BY: [Signature]

TTS: Ass't Vice Pres

STATE OF Alabama  
COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that J.A. Woods, whose name as AVP of COMPASS BANK, a corporation, is signed to the foregoing instrument, and who known to me, acknowledged before me on this day, that, being informed of the contents of the said instrument, she/he executed the same voluntarily for and as the act of said corporation.

[Signature]  
Notary Public  
My Commission expires: 05/10/06

Prepared By:  
STEWART & ASSOCIATES, P.C.  
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