

**SUBORDINATION AGREEMENT**

WHEREAS, under the date of May 17, 2000, a mortgage was given to John T. Gruening and Jodi L. Gruening by Charter One Mortgage Corp., in the original amount of \$10,650.00, which mortgage was recorded on June 6, 2000, as Instrument No. 2000-18515, of the Shelby County, Alabama Records. Said mortgage was assigned to Charter One Bank, F.S.B. by assignment of mortgage recorded on August 21, 2000 as Instrument No. 2000-28326; and which mortgage covers the following described real property situate and lying in:

**See attached Schedule A**

WHEREAS, Charter One Mortgage Corp. has agreed to make a mortgage loan to John T. Gruening and Jodi L. Gruening in the amount of \$178,345.00, hereinafter called the "new mortgage", covering the property above described, provided the mortgage first described is subordinated to it; and

WHEREAS, the undersigned, in order to induce the making of the new mortgage loan and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, desires to subordinate their mortgage to the new mortgage;

NOW THEREFORE, in consideration of the premises, the mortgage first described above is by this instrument subordinated and made inferior to the mortgage to be given to John T. Gruening and Jodi L. Gruening, dated December 9, 2002, and recorded December 18, 2002 as Instrument No. \_\_\_\_\_, of the Shelby County, Alabama Records. #20021217000633290

IN WITNESS WHEREOF, I/we have hereunto set my/our hand(s) and seal(s) this 20th day of November, 2002.

Signed, sealed and delivered  
in the presence of:

**Charter One Bank, N.A.,  
formerly known as  
Charter One Bank, F.S.B.**

Kathryn C. Cuthrell  
Kathryn C. Cuthrell  
Authorized Signer

STATE OF VIRGINIA  
COUNTY OF HENRICO

I, DAWN ATKINSON, A NOTARY PUBLIC IN AND FOR SAID COUNTY IN SAID STATE, HEREBY CERTIFY THAT KATHRYN C. CUTHRELL, WHO IS NAMED AS AUTHORIZED SIGNER OF CHARTER ONE BANK, N.A., A CORPORATION, IS SIGNED TO THE FOREGOING SUBORDINATION AGREEMENT AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT BEING INFORMED OF THE CONTENTS OF THE SUBORDINATION AGREEMENT, SHE, AS SUCH OFFICER AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID CORPORATION.

GIVEN UNDER MY HAND ON NOVEMBER 20, 2002.

Dawn Atkinson  
NOTARY PUBLIC  
MY COMMISSION EXPIRES:  
DECEMBER 31, 2005

File Number: **85194215**

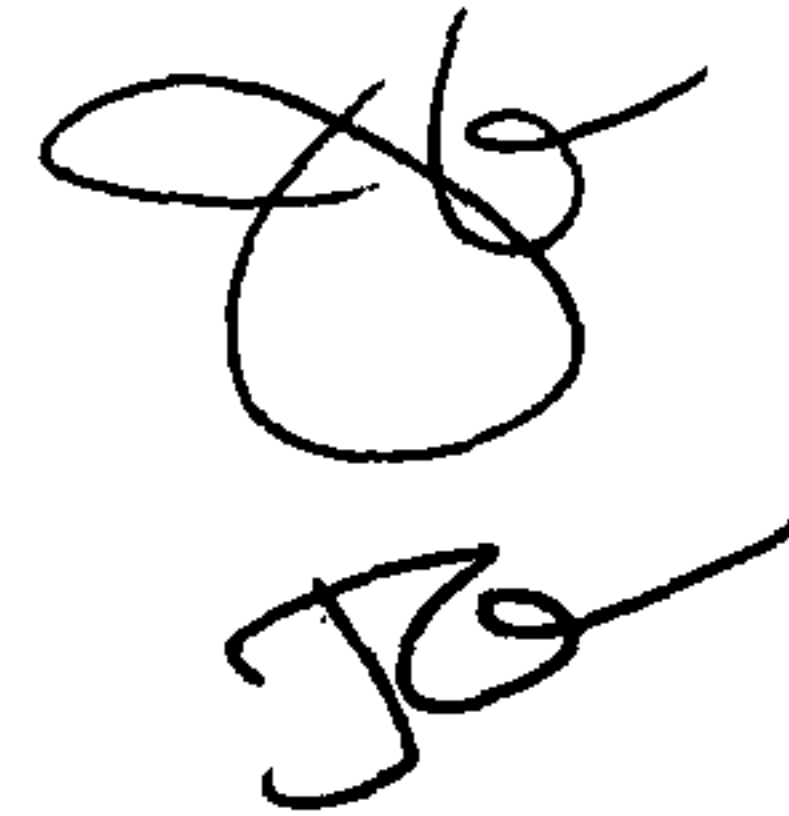
## **FULL LEGAL**

Exhibit "A" to

**The following described real estate, situated in Shelby County, Alabama, to-wit:  
Lot 5, according to the survey of Oak Forest, as recorded in Map book 25 page  
111 in the probate office of Shelby County,Alabama.**

Tax ID # 14-5-16-0-000-004.007

JOHN T. GRUENING and JODI L. GRUENING

Handwritten signature of Jodi L. Gruening, consisting of a stylized 'J' and 'G' followed by a horizontal line.