

SUBORDINATION AGREEMENT

This Agreement made this date by SouthTrust Bank (herein called First Party), in favor of SouthTrust Mortgage Corporation (herein called Second Party).

Whereas, First Party is the owner and holder of that certain mortgage recorded in Instrument #2002/9737, in the Probate Office of Shelby County, Alabama, which said mortgage encumbers the property described as follows:

LOT 5, ACCORDING TO THE SURVEY OF PHILLIPS ADDITION TO NEW HOPE MOUNTAIN AS RECORDED IN MAP BOOK 10, PAGE 20, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

Whereas, Second Party, on January 24, 2003, made a loan secured by a mortgage executed by Charles D. Whitfield and Denise D. Whitfield, Husband and Wife in the amount of \$300,700.00 secured by a mortgage on the above-described property; and

Whereas, the Second Party will not make the said loan unless the First Party subordinates its mortgage to the Second Party.

Now, therefore, in consideration of One Dollar and other good and valuable considerations, the Parties hereto agree as follows:

The First Party, SouthTrust Bank consents and agrees that the mortgage recorded in Instrument #2002/9337, in the Probate Office of Shelby County, Alabama, with the maximum available credit on said mortgage is \$35,000.00, is and shall continue to be, subject and subordinate in lien to the lien of the mortgage being made to the Second Party, which mortgage is recorded as Instrument # \_\_\_\_\_ in the Probate Office of Shelby County, Alabama.

20030302000062770

Dated this 23 day of January, 2003.

SOUTHTRUST BANK

By: Stephen A. Pierce  
Its: AVP

State of Alabama  
County of Jefferson

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Stephen A. Pierce, whose name as Asst. Vice Pres. of SouthTrust Bank, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that being informed of the contents of the instrument, he as such officer and with full authority executed the same voluntarily on the date the same bears date for and as the act of said bank.

Given under my hand and official seal this the 23 day of January, 2003.

Leah F. H.  
NOTARY PUBLIC

My Commission Expires: MY COMMISSION EXPIRES MAY 30, 2005.

SouthTrust Mort.  
Corp.  
210 Wildwood Pky.  
B'ham, AL 35209