

## SUBORDINATION AGREEMENT

Pursuant to the terms of the mortgage entered into by and between D. Kip Dollar and Cathy M. Dollar to National Bank of Commerce of Birmingham on March 27, 1997 and recorded in Instrument #1997-11395 in the Probate Office of Shelby County, Alabama.

National Bank of Commerce of Birmingham does declare the lien of its mortgage dated March 27, 1997 and recorded in Instrument #1997/11395 in the Probate Office of Shelby County, Alabama to be second and subordinate to the lien of mortgage given to Charter One Mortgage Corp. in the amount of Sixty Seven Thousand Seven Hundred Thirty-Two Dollars and no/100-----(\$67,732.00) executed on November 29, 2002 and recorded in the Probate Office of Shelby County, Alabama.

Both mortgages are encumbering certain real property described as:

LOT 10, BLOCK 2, ACCORDING TO THE SURVEY OF FIRST ADDITION TO THE INDIAN HILLS, SECOND SECTOR, AS RECORDED IN MAP BOOK 5, PAGE 7, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\*\*Previously subordinated on January 5, 2000 and recorded in Instrument #2000-01440 in the Probate Office of Shelby County, Alabama.

IN WITNESS WHEREOF, this Subordination Agreement has been executed on this 27th of January, 2003.

D. Kip Dollar  
D. Kip Dollar  
Cathy M. Dollar  
Cathy M. Dollar

NATIONAL BANK OF COMMERCE  
OF BIRMINGHAM

BY: [Signature]  
Its: VP

Lender Service

STATE OF ALABAMA       )  
SHELBY COUNTY        )

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that P. Kip Dollar and Cathy M. Dollar whose name 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 said instrument, he executed the same voluntarily on the date the same bears date.

Given under my hand and official seal of office this 27th day of January, 2002.

William Z. Gifford  
Notary Public

AFFIX SEAL

My Commission Expires: 7-6-05

STATE OF ALABAMA       )  
COUNTY OF SHELBY       )

I, the undersigned, a Notary Public, in and for said county in said state hereby certify that Carl W. Albright, III whose name as Vice President of National Bank of Commerce of Birmingham is signed to the foregoing Agreement and who is known to me acknowledged before me that being informed of the contents of the above and foregoing Agreement he or she, is his/her capacity as such officer executed the same for and as the act of said corporation.

Given under my hand and official seal of office this the 15th day of January, 2003.

Stephanie R Snider  
Notary Public

AFFIX SEAL

My Commission Expires: NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Sept 1, 2004  
BONDED THRU NOTARY PUBLIC UNDERWRITERS