

SUBORDINATION AGREEMENT

Pursuant to the terms of the mortgage entered into by and between <u>Kenneth F.</u>

<u>Jernigan</u> to <u>National Bank of Commerce of Birmingham</u> on <u>September 19, 2002</u> and recorded in <u>Instrument 20021004000484600</u> in the Probate Office of <u>Shelby County</u>, Alabama.

National Bank of Commerce of Birmingham does declare the lien of its mortgage dated

September 19, 2002 and recorded in Instrument 20021004000484600 in the Probate

Office of Shelby County, Alabama to be second and subordinate to the lien of mortgage given by Southern Capital Resources, Inc. its successors and or assigns in the amount of

Two Hundred Twenty Five Thousand Five Hundred and no/100------(\$225,500.00)

executed on January 31, 2003 recorded in the Probate Office of Shelby County, Alabama.

Both mortgages are encumbering certain real property described as:

Lot 1, according to the Survey of Cahaba Oaks, as recorded in Map Book 18, page 141 in the Probate Office of Shelby County, Alabama.

IN WITNESS WHEREOF, this Subordination Agreement has been executed on this 31 of JANUARY 2003.

Kenneth F. Jernigan

NATIONAL BANK OF COMMERCE

OF BIRMINGHAM

BY: Its:

02/11/2003 13:21:00 FILED/CERTIFIED
STATE OF ALABAMA) COUNTY)
I, the undersigned authority, a Notary Public in and-for said county in said state, hereby certify that <u>Kenneth Agenta</u> 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 31 day of January, 2003.
Motary Public
AFFIX SEAL
My Commission Expires: 5-11-05
STATE OF ALABAMA) COUNTY OF Shelby)
I, the undersigned, a Notary Public, in and for said county in said state hereby certify that whose name as vice resident 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 offical seal of office this the 31st day of January, 2003.

Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LATCE

BONDED THRU NOTARY PUBLIC UNDERWRITERS

MY COMMISSION EXPIRES: Mar. 1, 2003

AFFIX SEAL

My Commission Expires: