

8.00
9.00
17.00

20030307000138850 Pg 1/3 17.00
Shelby Cnty Judge of Probate, AL
03/07/2003 08:21:00 FILED/CERTIFIED

SUBORDINATION AGREEMENT

Pursuant to the terms of the mortgage entered into by and between Jackie Neal Spinks, Jr. and Ada Jane Spinks to National Bank of Commerce of Birmingham on August 16, 2002 and recorded in Instrument 20020924000460260 in the Probate Office of Shelby County, Alabama.

National Bank of Commerce of Birmingham does declare the lien of its mortgage dated August 16, 2002 and recorded in Instrument 20020924000460260 in the Probate Office of Shelby County, Alabama to be second and subordinate to the lien of mortgage given by Castle Mortgage in the amount of One Hundred Eighty Seven Thousand Two Hundred and no/100---(\$187,200.00) executed on 2/20/03 and recorded in the Probate Office of Shelby County, Alabama.

Both mortgages are encumbering certain real property described as:

See Attached Exhibit "A"

IN WITNESS WHEREOF, this Subordination Agreement has been executed on this 20th of February, 2003.

Jackie Neal Spinks, Jr.

Ada Jane Spinks

NATIONAL BANK OF COMMERCE
OF BIRMINGHAM

BY: [Signature]
Its: Vice President

STATE OF ALABAMA)
COUNTY)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that _____ 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 ____ day of _____, 2003.

Notary Public

AFFIX SEAL

My Commission Expires: _____

STATE OF ALABAMA)
COUNTY OF)

I, the undersigned, a Notary Public, in and for said county in said state hereby certify that Bill Blace 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 20th day of February, 2003.

Cynthia B. Keith
Notary Public

AFFIX SEAL

My Commission Expires: _____

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Mar. 1, 2003
BONDED THROUGH THE PUBLIC UNDERWRITERS

Exhibit "A"
Legal Description

State of Alabama
Shelby County

Begin at the SE corner of Section 15, Township 22 South, Range 3 West, Shelby County, Alabama; thence North 3 degrees 58 minutes 14 seconds East along the East line of said section a distance of 464.95 feet to a point in Spring Creek; thence South 50 degrees 26 minutes 15 seconds West a distance of 46.57 feet to a point in Spring Creek; thence North 53 degrees 18 minutes 15 seconds West a distance of 289.00 feet to a point in Spring Creek; thence South 47 degrees 24 minutes 46 seconds West a distance of 391.16 feet to a point in Spring Creek; thence South 35 degrees 26 minutes 46 seconds West a distance of 126.56 feet to a point in Spring Creek; thence South 32 degrees 1 minutes 32 seconds East a distance of 550.50 feet to the northerly right-of-way of Wilderwood Road; thence North 57 degrees 57 minutes 47 seconds East along said right-of-way a distance of 233.67 feet to a point of curve to the right having a central angle of 42 degrees 22 minutes 16 seconds and a radius of 142.17 feet; thence along the arc of said curve and along said right-of-way a distance of 105.14 feet; thence North 3 degrees 58 minutes 14 seconds East and leaving said right-of-way a distance of 84.52 feet to the POINT OF BEGINNING.

According to the Survey of Rodney Y. Shifflett, AL Reg. #21784, dated May 23, 2002.

Also, included with the above described is a 30-foot wide easement for access and egress described as follows:

Begin at the SE corner of Section 15, Township 22 South, Range 3 West, and run Southerly along a projection of the East side of the said Section 15 for 114.93 feet to a point on the North side of the 30-foot wide easement, said point being on a tangent curve concave Southerly and having a radius of 112.28 feet; thence turn an angle to the left and run Southeasterly along the North side of the herein described 30-foot wide easement through a central angle of 39 degrees 21 minutes 03 seconds for 77.05 feet (angle to the 75.54 foot chord of 62 degrees 13 minutes 18 seconds to the left); thence turn an angle from the 75.54 foot chord of 19 degrees 40 minutes 35 seconds to the right and run Southeasterly along the Northeast side of the herein described 30-foot wide easement for 498.28 feet to the point on the Northwest right of way of Shelby County Road No. 12. This being point of ending of 30-foot wide easement.