

SUBORDINATION OF MORTGAGE

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned, Charter One Bank, N.A., a corporation organized and doing business under the laws of the United States of America, formerly known as Charter One Bank, F.S.B., whose address is 1215 Superior Ave., Cleveland, OH 44114, being the beneficiary under the following mortgage ("Subordinate Mortgage"):

Mortgage in the original amount of Twenty Five Thousand Three Hundred Dollars (\$25,300.00), dated 29th day of May 2002, executed by Timothy P. Roberts and Susan L. Roberts, recorded on June 16, 2002, in 2002, in Instrument 2002-27935 in the Shelby County, Alabama Records upon the following described premises.
Lot 71, according to the Survey of Broken Bow, First Addition, Second Phase, as recorded in Map Book 8, Page 139, in the Probate Office of Shelby County, Alabama. And commonly known as 6239 Sioux Lane, Birmingham, AL 35242

Lot 71 Broken Bow 1st addition 2nd Phase

WHEREAS, on May 7, 2002, Charter One Bank, F.S.B. converted from a federal savings bank to a national banking association and changed its name to Charter One Bank, N.A.; and

does hereby waive and subordinate the priority and operation of the Subordinate Mortgage upon the therein described premises to the following described mortgage ("New Mortgage"):


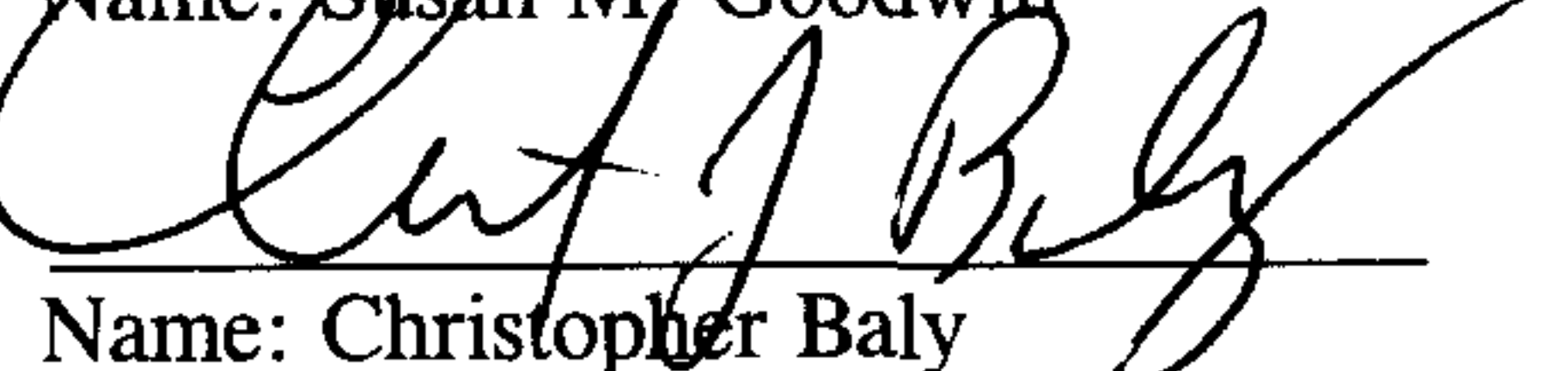
Mortgage to be executed by Timothy L. Roberts and Susan L. Roberts as Borrower, to Charter One Mortgage Corp. as Lender, securing a total indebtedness not to exceed One Hundred Forty Eight Thousand Dollars, (\$148,000.00), upon the above described property

in order that the lien of the Subordinate Mortgage be taken as junior and inferior to the lien of the New Mortgage without otherwise affecting the lien of the Subordinate Mortgage.


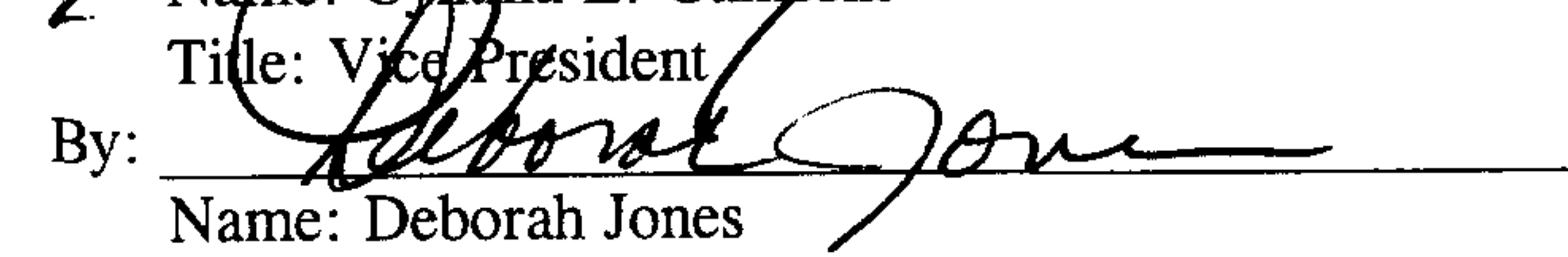
This Agreement shall be governed by and construed in accordance with the laws of the State of Alabama applicable to contracts made and to be performed in said State, shall not be modified, amended or terminated orally, and shall be binding upon and inure to the benefit of the parties hereto and their respective successors, designees and assigns.

IN WITNESS WHEREOF, Bank has caused this subordination to be executed this 27th day of March, 2003.

SIGNED IN THE PRESENCE OF:


Name: Susan M. Goodwill

Name: Christopher Baly

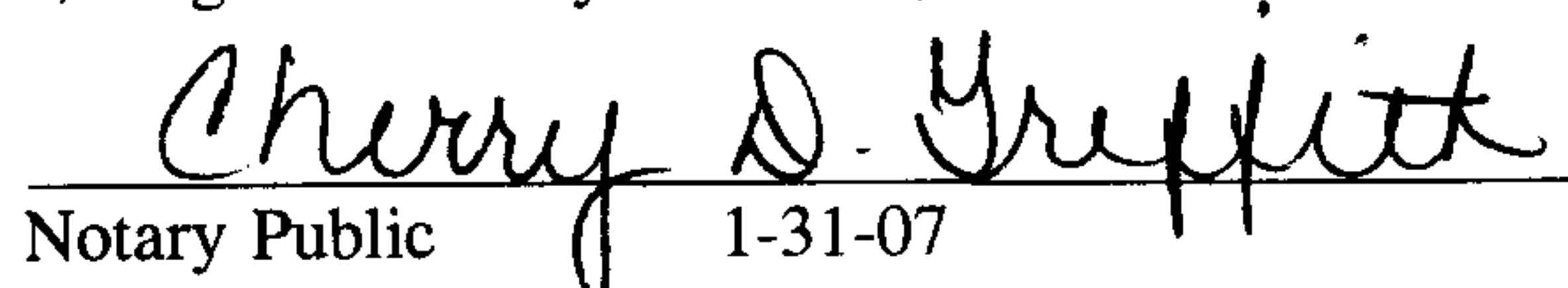
CHARTER ONE BANK, N.A.

By: 
Name: Cynthia L. Gamesik
Title: Vice President
By: 
Name: Deborah Jones
Title: Sr. Vice President

STATE OF VIRGINIA)
COUNTY OF HENRICO) SS:

SWORN TO BEFORE ME, a Notary Public, in and for said County and State, personally appeared Cynthia L. Gamcsik Vice President, and Deborah Jones, Sr. Vice President of Charter One Bank, N.A., who acknowledged that they did sign the foregoing instrument as its duly authorized officers and that the same is the free act and deed of said corporation and the free act and deed of them personally and as said officers.

WITNESS my signature and notarial seal at Richmond, Virginia 27th day of March, 2003.


Notary Public 1-31-07

This Instrument Prepared by and Return to:
CHARTER ONE BANK, N.A.
Attn: Loan Servicing, EV950
3rd Floor
75 Erieview Plaza
Cleveland, OH 44114-3279
Account No. HELOCAcct#9931259942