

## SUBORDINATION AGREEMENT

Pursuant to the terms of the mortgage entered into by and between DIANE GILKESON and NATIONAL BANK OF COMMERCE OF BIRMINGHAM on the 28<sup>TH</sup> day of MARCH, 2002 and recorded in INSTRUMENT 20020507000212360 and amended on the 18<sup>TH</sup> DAY OF FEBRUARY, 2003 and recorded in INSTRUMENT 20030227000119850 in the Probate Office of SHELBY County, Alabama. NATIONAL BANK OF COMMERCE OF BIRMINGHAM does declare the lien of its mortgage dated MARCH 28, 2002 and recorded in INSTRUMENT 20020507000212360 and amended on FEBRUARY 18, 2003 and recorded in INSTRUMENT 20030227000119850 in the Probate Office of SHELBY County, Alabama to be second and subordinate to the lien of the mortgage given by NATIONAL BANK OF COMMERCE OF BIRMINGHAM in the amount of TWO HUNDRED NINETY EIGHT THOUSAND FOUR HUNDRED DOLLARS AND NO/100 (\$298,400.00) executed on the \_\_\_\_<sup>TH</sup> day of MARCH, 2003, and recorded in the Probate Office of SHELBY County, Alabama.

Both mortgages are encumbering certain real property described as:

LOT 1246, ACCORDING TO THE MAP OF HIGHLAND LAKES, 12<sup>TH</sup> SECTOR, PHASE 1, AND EDDLEMAN COMMUNITY, AS RECORDED IN MAP BOOK 26, PAGE 137 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA. MINERAL AND MINING RIGHTS EXPECTED.

IN WITNESS WHEREOF, this Subordination Agreement has been executed on this 24<sup>TH</sup> day of MARCH, 2003.

By:  
Its:

Debra Parrott  
Vice President

STATE OF ALABAMA  
COUNTY OF Jefferson

I, the undersigned, a Notary Public, in and for said County in said State hereby certify that Debra Parrott whose name as Vice President of NBC 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, in his capacity as such officer executed the same for and as the act of said corporation.

Given under my hand this the 24 of March, 2003.

My Commission Expires \_\_\_\_\_

Debra Parrott  
Notary Public

MY COMMISSION EXPIRES JUNE 18, 2006