

Subordinate Agreement

This Subordination of Mortgage is executed this 5th day of May, 2003 by
Heritage Bank.

Witnesseth

WHEREAS, **Heritage Bank** is the owner and holder of that certain mortgage in the amount of **Eighty Five Thousand Dollars (\$85,000.00)** from **Todd C. Skaggs and Joanne Akers Skaggs** recorded on **March 15, 2001** in **Instrument Number 2001-09297**, in the Probate Office of **Shelby County, Alabama**, said property being more particularly described as follows:

Lot 7, according to the Survey of Meadowbrook, 12th Sector, as recorded in Map Book 9, Page 27, in the Probate Office of Shelby County, Alabama.

WHEREAS, **Washington Mutual Bank, FA** has made a mortgage loan in the amount of **One Hundred Sixty Nine Thousand Nine Hundred Ninety Nine Dollars (\$169,999.00)** to **Todd C. Skaggs and Joanne Akers Skaggs** recorded on 6/17/03 in Instrument Number *, in the Probate Office of **Shelby County, Alabama**, said loan secured by a mortgage which encumbers the above described real property. *20030617000379930

WHEREAS, **Washington Mutual Bank, FA** as a condition for making a first mortgage loan requires **Heritage Bank** to subordinate the lien of its mortgage to the lien of **Washington Mutual Bank, FA**, and **Heritage Bank** has agreed to do so.

NOW THEREFORE, for and in consideration of the premises hereof and of mutual advantages and benefits accruing to the parties hereto, **Heritage Bank** does hereby covenant, consent and agree to and with **Washington Mutual Bank, FA** that the lien of **Heritage Bank** shall be and the same is hereby made subordinate, inferior and subject in every respect to the lien of **Washington Mutual Bank, FA**, which encumbers the above described property provided, however, that the subordination is limited to the amount of **Eighty Five Thousand Dollars (\$85,000.00)**.

IN WHITNESS WHEREOF, this agreement is executed the day and year first written above.

Signed, sealed and delivered in the presence of:

HERITAGE BANK

BY: Jayne Martin
ITS: Banking Center Manager

(STATE OF ALABAMA)
(JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Jayne Martin** whose name as Banking Center Manager of **Heritage Bank**, is signed to the foregoing instrument, and who is know to me, acknowledged before me on this day, that being informed of the content of said instrument, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this 5th day of May, 2003.

Notary Public:
My commission expires:

Kathy L. Amos