

SUBORDINATION AGREEMENT

THIS SUBORDINATION AGREEMENT is made this 13 day of December 2002, by and between Capital One, FSB (hereinafter "Capital One") and Countrywide Home Loans, Inc. (hereinafter "mortgagee").

P. L. Yancey ("Borrower") executed and delivered to Capital One a mortgage or deed of trust in the sum of \$ 5,000.00 and recorded September 19, 2001 in book 2001 and page number 40611, in the records of SHELBY county, which mortgage or deed of trust is a lien on the following described property:

Legal Description:

THE FOLLOWING DESCRIBED REAL ESTATE, SITUATED IN SHELBY COUNTY, ALABAMA, TO-WIT: LOT 417, ACCORDING TO THE SURVEY OF WEATHERLY BELVEDERE, SECTOR 23, AS RECORDED IN MAP BOOK 21 PAGE 16 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA. MINERAL AND MINING RIGHTS EXCEPTED.

WHEREAS, Mortgagee is making a mortgage loan on or about this date to Borrower encumbering the same real property described in the Legal Description above.

WHEREAS, Mortgagee is willing to make such loan to Borrower provided that Capital One unconditionally subordinates the lien of its mortgage or deed of trust to the lien in favor of Mortgagee.

WHEREAS, Capital One has agreed to subordinate to Mortgagee on the following conditions:

1. Subordination of Lien: Capital One hereby subordinates its lien position in and on the property to Mortgagee's mortgage or deed of trust and the lien itself thereof, as if Mortgagee's mortgage or deed of trust had been recorded first in time to Capital One, and so that all public records will reflect Mortgagee's mortgage or deed of trust to be superior in lien to the mortgage or deed of trust of Capital One.

2. This subordination shall be binding upon and inure to the benefit of the respective heirs, successors, and assigns of borrower and lender.

IN WITNESS WHEREOF, the parties hereto have set their hands hereto as of the date first written above.

Representative for Capital One, FSB

SIGN: [Signature]

PRINT: William Sylvester

TITLE: Group Manager

WITNESS:

Sign: [Signature]

Print: Weston Maosha

WITNESS:

Sign: [Signature]

Print: Paula Raven

STATE OF VIRGINIA
COUNTY OF HENRICO

On this 13th day of December 2002, before me, the undersigned officer, personally appeared William Sylvester who acknowledged himself/herself/themselves to be the Group Manager of Capital One, FSB and, being authorized to do so, executed the foregoing SUBORDINATION AGREEMENT for the purpose therein contained by signing the name of the corporation hereto.

IN WITNESS THEREOF, I hereunto set my hand and official seal.

[Signature]

NOTARY PUBLIC

SEAL:

MY COMMISSION EXPIRES: October 31, 2006

