

SUBORDINATION AGREEMENT

20030717000456160 Pg 1/2 14.00
Shelby Cnty Judge of Probate, AL
07/17/2003 15:16:00 FILED/CERTIFIED

Pursuant to the terms of the mortgage entered into by and between Richard L. Dandurand and Sally S. Dandurand to National Bank of Commerce of Birmingham on October 2, 2001 and recorded in Instrument #2001-49315 in the Probate Office of Shelby County, Alabama.

National Bank of Commerce of Birmingham does declare the lien of its mortgage dated October 2, 2001 and recorded in Instrument #2001-49315 in the Probate Office of Shelby County, Alabama to be second and subordinate to the lien of mortgage given to National Bank of Commerce in the amount of Three Hundred Twenty-Two Thousand Seven Hundred Dollars and NO/100---(\$322,700.00) executed on July 7, 2003 recorded in the Probate Office of Shelby County, Alabama.

Both mortgages are encumbering certain real property described as follows:

LOT 219, ACCORDING TO THE SURVEY OF HIGHLAND LAKES, 2ND SECTOR, AS RECORDED IN MAP BOOK 20, PAGE 150 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

TOGETHER WITH NONEXCLUSIVE EASEMENT TO USE THE PRIVATE ROADWAYS, COMMON AREA ALL AS MORE PARTICULARLY DESCRIBED IN THE DECLARATION OF EASEMENTS AND MASTER PROTECTIVE COVENANTS FOR HIGHLAND LAKES, A RESIDENTIAL SUBDIVISION RECORDED AS INSTRUMENT 1994-07111 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA AND THE DRCLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF HIGHLAND LAKES, A RESIDENTIAL SUBDIVISION, 2ND SECTOR, RECORDED AS INSTRUMENT 1996-10928 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA (WHICH, TOGETHER WITH ALL AMENDMENTS THERETO, IS HEREINAFTER COLLECTIVELY REFERRED TO AS, THE "DECLARATION").

IN WITNESS WHEREOF, this Subordination Agreement has been executed on this _____ of July 7, 2003.

Richard L. Dandurand
Richard L. Dandurand

Sally S. Dandurand
Sally S. Dandurand

NATIONAL BANK OF COMMERCE
OF BIRMINGHAM

BY: [Signature]
Its: VP

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that RICHARD L. DANDURAND and * _____ 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. *SALLY S. DANDURAND

Given under my hand and official seal of office this _____ day of July 7, 2003.

Notary Public GENE W. GRAY, JR.

AFFIX SEAL

My Commission Expires: 11/09/06

STATE OF ALABAMA)
COUNTY OF Jefferson)

I, the undersigned, a Notary Public, in and for said county in said state hereby certify that Carl W Albright III whose name as VP 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 7th day of July, 2003.

Notary Public Stephanie R Snider

AFFIX SEAL

My Commission Expires: NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Sept 1, 2004
BONDED THRU NOTARY PUBLIC UNDERWRITERS

Document Prepared By:
Stevie Snider, NBC Private Banking