

This Subordination of Mortgage is executed this **23rd** day of **July 2003** by
Heritage Bank.

Witnesseth

WHEREAS, **Heritage Bank** is the owner and holder of that certain mortgage in the amount of **Thirty Nine Thousand Dollars (\$39,000)** from **Chris Mirabito and Connie Mirabito** recorded on **September 5, 2002** in **Instrument Number 20020905000425270** in the Probate Office of **Shelby County, Alabama**, said property being more particularly described as follows:

Lot 113, according to the Amended Map of Riverwoods First Sector, as recorded in Map Book 29, page 120, in the Probate Office of Shelby County, Alabama.

WHEREAS, **New South Federal Savings Bank** has made a mortgage loan in the amount of **Two Hundred Seven Thousand Five Hundred Dollars (\$207,500)** to **Chris Mirabito and Connie Mirabito** recorded on **Aug. 1, 2003** in Instrument Number **200307000500190**, in the Probate Office of **Shelby County, Alabama**, said loan secured by a mortgage, which encumbers the above described real property.

WHEREAS, **New South Federal Savings Bank** as a condition for making a first mortgage loan requires **Heritage Bank** to subordinate the lien of its mortgage to the lien of **New South Federal Savings Bank** 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 **New South Federal Savings Bank** 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 **New South Federal Savings Bank** which encumbers the above described property provided, however, that the subordination is limited to the amount of **Thirty Nine Thousand Dollars.**

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

Signed, sealed and delivered in the presence of:

HERITAGE BANK

BY: **George C. Pelekis**
George C. Pelekis
ITS: Senior Vice President

(STATE OF ALABAMA)
(JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **George C. Pelekis** whose name as Senior Vice President 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 **23rd** day of **July 2003**.

Notary Public: **Debra H. Clark**
My commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: **Oct 13, 2004**
DEPOSED THIRD NOTARY PUBLIC UNDERWRITERS