

D130529-T-3 SUBORDINATION AGREEMENT

Pursuant to the terms of the mortgage entered into by and between Robert Michael Lenning and Dana G. Lenning to National Bank of Commerce of Birmingham on July 5, 2002* and recorded in Instrument 20020813000382590 in the Probate Office of Shelby County, Alabama. *in the amount of \$80,000, recorded on 08/13/02 National Bank of Commerce of Birmingham does declare the lien of its mortgage dated July 5, 2002 and recorded in Instrument 20020813000382590 in the Probate Office of Shelby County, Alabama to be second and subordinate to the lien of mortgage given by Chase Manhattan in the amount of Two Hundred Seventy Thousand and no/100---- (\$270,000.00) executed on August 5, 2003 and recorded in the Probate Office of Shelby County, Alabama.

20030818000540380

PARCEL #: 10-2-09-0-001-001.102

Both mortgages are encumbering certain real property described as:

Lot 50, according to the Survey of Heatherwood - 4th Sector - 1st Addition, as recorded in Map Book 11, pages 32 and 33, in the Probate Office of Shelby County, Alabama.

IN WITNESS WHEREOF, this Subordination Agreement has been executed on this 5 of August, 2003.

PREPARED BY & RETURN TO:
RAY HUNDLEY
TRANSCONTINENTAL TITLE CO
4033 TAMPA RD, SUITE 101
OLDSMAR, FL 34677
1-800-225-7897

Robert Michael Lenning
Robert Michael Lenning
Dana G. Lenning
Dana G. Lenning

NATIONAL BANK OF COMMERCE
OF BIRMINGHAM

BY: Mary G. Kane
Its: Vice President

STATE OF ALABAMA)
Shelby COUNTY)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that ~~Robert Michael Lennix and Dana G. Lennix~~ *Robert Michael Lennix and Dana G. Lennix* 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.

Given under my hand and official seal of office this 5 day of August, 2003.

Susan D. Barringer
Notary Public
SUSAN D. BARRINGER

AFFIX SEAL

My Commission Expires: 4-4-2007

STATE OF ALABAMA)
COUNTY OF *Shelby*)

I, the undersigned, a Notary Public, in and for said county in said state hereby certify that Mary J. Holland whose name as Vice President 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 30th day of July, 2003.

Meredith Caule Shupe
Notary Public
MEREDITH CAULE SHUPE

AFFIX SEAL

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Sep 29, 2006
BONDED THRU NOTARY PUBLIC UNDERWRITERS

My Commission Expires: _____

EXHIBIT "A"

THE FOLLOWING DESCRIBED REAL ESTATE, SITUATED IN SHELBY COUNTY,
ALABAMA, TO WIT:

LOT 50, ACCORDING TO THE SURVEY OF HEATHERWOOD, 4TH SECTOR, 1ST
ADDITION AS RECORDED IN MAP BOOK 11, PAGES 32 AND 33 IN THE
PROBATE OFFICE OF SHELBY COUNTY, ALABAMA. MINERAL AND MINING
RIGHTS EXCEPTED.

BEING THE SAME PROPERTY CONVEYED TO ROBERT MICHAEL LENNING AND
WIFE, DANA G. LENNING BY DEED FROM NORMAN RAY BENSON AND WIFE,
JOYCE C. BENSON, RECORDED 12/26/1991 IN DEED BOOK 379 PAGE 264.