

**SUBORDINATION AGREEMENT**

20030825000564500 Pg 1/1 11.00  
Shelby Cnty Judge of Probate, AL  
08/25/2003 14:18:00 FILED/CERTIFIED

This SUBORDINATION AGREEMENT (the "Agreement"), made and entered into this 28<sup>th</sup> of July, 2003, by and between STEVEN D. SHAW AND JAMELLE K. SHAW, ("Borrower"), Washington Mutual Bank, FA ("Washington Mutual"), and the subordinating party, SOUTH TRUST BANK, (the "Creditor"), WITNESSETH:

WHEREAS, Creditor is holder of a mortgage on property located at 5905 Greymoor Cove, Birmingham, AL 35242, (the "Premises") from Borrower to Creditor in the amount of \$100,000.00 dated 03/19/1999, recorded 05/19/1999 and recorded in Document Number 1999-21003, in SHELBY COUNTY, (the "Subordinated Mortgage"); and

WHEREAS, a new mortgage has now been or will be executed by the Borrower whereby Washington Mutual is holder of a mortgage on the Premises from Borrower to Washington Mutual dated August 20, 2003, in the principal amount not to exceed \$207,000 (the "New Mortgage")

WHEREAS, Creditor intends by this Agreement to waive the priority of the lien on the Subordinated Mortgage in favor of the New Mortgage;

**Inst # 20030825000564490**

NOW THEREFORE, in consideration of the sum of One Dollar cash in hand paid to the Creditor, the receipt of which is hereby acknowledged, the Creditor expressly: (I) waives the priority of the Subordinated Mortgage and (II) subordinates all rights, titles, or interest under the Subordinated Mortgage to the lien of the New Mortgage to the same extent as if the New Mortgage had been executed and recorded before the execution and recording of the Subordinated Mortgage.

IN WITNESS WHEREOF, the said creditor has caused its corporate seal to be hereto affixed and these presents to be signed in its name and behalf by Stephen A Pierce, this 14 day of August, 2003.

By: Stephen A Pierce  
Its: Asst Vice Pres  
Dated Aug 14, 2003



County of Jefferson }SS:

Before me the undersigned, a Notary Public, in and said County and State on this 14 day of August, 2003, personally appeared Stephen A Pierce, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its Asst Vice President and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

My Commission expires \_\_\_\_\_  
MY COMMISSION EXPIRES MAY 30, 2005

Linda F Myers  
Notary Public

