

**SUBORDINATION OF MORTGAGE**

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned, Charter One Bank, N.A., a corporation organized and doing business under the laws of the United States of America, formerly known as Charter One Bank, F.S.B., whose address is 1215 Superior Ave., Cleveland, OH 44114, being the beneficiary under the following mortgage ("Subordinate Mortgage"):

Mortgage in the original amount of Forty Five Thousand Seven Hundred Fifty and NO/100 Dollars (\$45,750.00), dated 19th day of May 2000, executed by Wayne S. Bodine, Jr. and Brenda B. Bodine, recorded on November 13, 2000, in Instrument No. 2000-39109, in the Shelby County, Alabama Records upon the following described premises.

See attached Exhibit "A"

And commonly known as 604 Mill Springs Court, Hoover, Al 35244

WHEREAS, on May 7, 2002, Charter One Bank, F.S.B. converted from a federal savings bank to a national banking association and changed its name to Charter One Bank, N.A.; and

does hereby waive and subordinate the priority and operation of the Subordinate Mortgage upon the therein described premises to the following described mortgage ("New Mortgage"):

Mortgage to be executed by Wayne A. Bodine, Jr. and Brenda B. Bodine as Borrower, to Charter One Mortgage Corp. as Lender, securing a total indebtedness not to exceed Two Hundred Fifty Four Thousand Nine Hundred Dollars, (\$254,900.00), upon the above described property

in order that the lien of the Subordinate Mortgage be taken as junior and inferior to the lien of the New Mortgage without otherwise affecting the lien of the Subordinate Mortgage.

This Agreement shall be governed by and construed in accordance with the laws of the State of Alabama applicable to contracts made and to be performed in said State, shall not be modified, amended or terminated orally, and shall be binding upon and inure to the benefit of the parties hereto and their respective successors, designees and assigns.

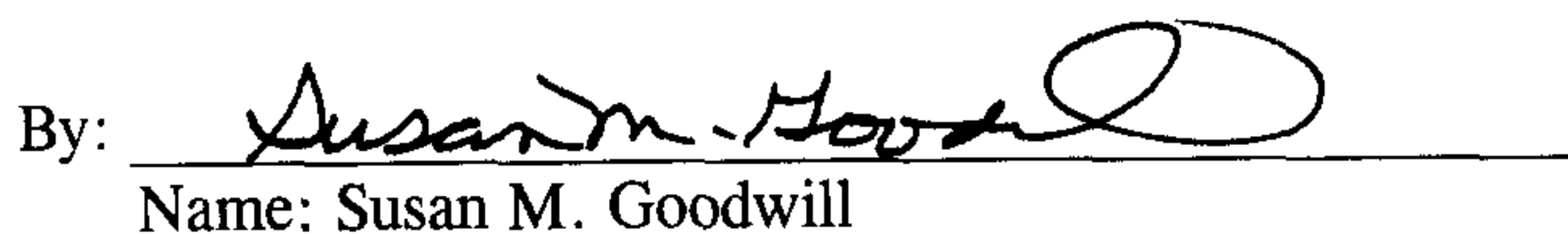
IN WITNESS WHEREOF, Bank has caused this subordination to be executed this 29th day of August, 2003.

SIGNED IN THE PRESENCE OF:

CHARTER ONE BANK, N.A.



Name: Melissa Dowdy

By: 

Name: Susan M. Goodwill

Title: Vice President

By: 

Name: Christopher Baly

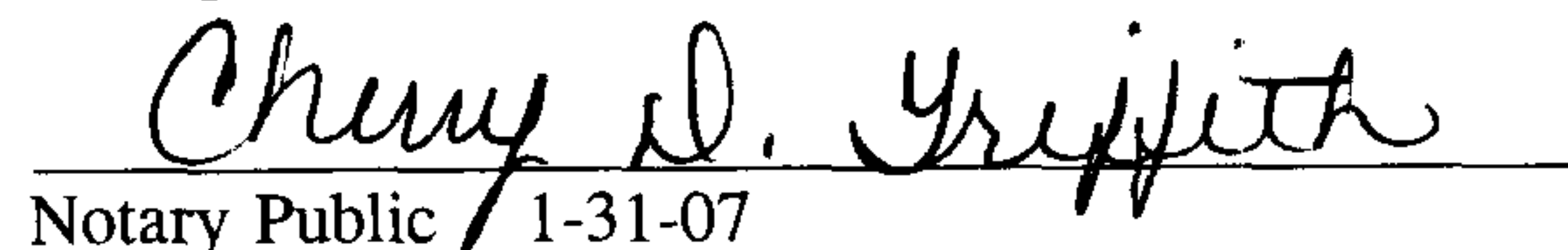
Title: Vice President

STATE OF VIRGINIA)

COUNTY OF HENRICO) SS:

SWORN TO BEFORE ME, a Notary Public, in and for said County and State, personally appeared Susan M. Goodwill Vice President, and Christopher Baly, Vice President of Charter One Bank, N.A., who acknowledged that they sign the foregoing instrument as its duly authorized officers and that the same is the free act and deed of said corporation and the free act and deed of them personally and as said officers.

WITNESS my signature and notarial seal at Richmond, Virginia 29th day of August, 2003.

  
Notary Public 1-31-07

This Instrument Prepared by and Return to:

CHARTER ONE BANK, N.A.

Attn: Loan Servicing, EV950

3<sup>rd</sup> Floor

75 Erieview Plaza

Cleveland, OH 44114-3279

Account No. 9930333043

Exhibit "A"

Lot 28, according to the Survey of Mill Springs Estates, 2<sup>nd</sup> Sector, as recorded in Map Book 25, Page 95, Shelby County, Alabama; being situated in Shelby County, Alabama.