

4428425200905607

SR Number: 1-13626765

WHEN RECORDED MAIL TO:

ditech.com

500 Enterprise Road
Horsham, PA 19044
ATTN: Terry Sanders

SUBORDINATION AGREEMENT

THIS SUBORDINATION AGREEMENT, made September 17, 2003, present owner and holder of the Mortgage and Note first hereinafter described and hereinafter referred to as **GMAC Mortgage Corporation doing business as ditech.com**.

W I T N E S S E T H:

THAT WHEREAS BARBRA E SUMMERS, residing at 110 COBBLESTONE TERRACE, PELHAM AL 35124, ,
did execute a Mortgage dated 04/13/2002 to **GMAC Mortgage Corporation dba ditech.com** covering:

SEE ATTACHED

To Secure a Note in the sum of \$ 14,000.00 dated 04/13/2002 in favor of **GMAC Mortgage Corporation doing business as ditech.com**, which Mortgage was recorded ~~05/31/2002~~ as Recording Book No. * and Page No. 1-98 Kelly P 8/07/2003
* 200 30 P 070005 17240

WHEREAS, Owner has executed, or is about to execute, a Mortgage and Note in the sum of \$ 122,500.00 dated 9/22/03 in favor of **COMMERCIAL FEDERAL BANK, A FEDERAL SAVINGS BANK**, here in after referred to as "Lender", payable with interest and upon the terms and conditions described therein, which mortgage is to be recorded concurrently herewith; and

WHEREAS, it is a condition precedent to obtaining said loan that Lender's mortgage last above mentioned shall unconditionally be and remain at all times a lien or charge upon the land herein before described, prior and superior to the lien or charge of **GMAC Mortgage Corporation dba ditech.com** mortgage first above mentioned.

NOW THEREFORE, in consideration of the mutual benefits accruing to the parties hereto, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in order to induce Lender to make the loan above referred to, it is hereby declared, understood and agreed as follows:

(1) That said mortgage securing said note in favor of Lender, shall unconditionally be and remain at all times a lien or charge on the property therein described, prior and superior to the lien or charge of **GMAC Mortgage Corporation dba ditech.com** mortgage first above mentioned, including any and all advances made or to be made under the note secured by **GMAC Mortgage Corporation dba ditech.com** mortgage first above mentioned.

(2) Nothing herein contained shall affect the validity or enforceability of GMAC MORTGAGE CORPORATION DBA DITECH.COM mortgage and lien except for the subordination as aforesaid.

WITNESSED BY:

GMAC MORTGAGE CORPORATION
DBA DITECH.COM

By: Shante Reid
SHANTE REID
By: Doris Lawson
DORIS LAWSON
By: Shante Reid
SHANTE REID
By: Doris Lawson
DORIS LAWSON

By: Courtney Walker
Courtney Walker
Title: Limited Signing Officer
Attest: William J. Maguire
William J. Maguire
Title: Senior Vice President

COMMONWEALTH OF PENNSYLVANIA

:

:SS

COUNTY OF MONTGOMERY

:

On 9/17/03, before me CHRISTINE RUHL, the undersigned, a Notary Public in and for said County and State, personally appeared Courtney Walker personally known to me (or proved to me on the basis of satisfactory evidence) to be the Limited Signing Officer, and William J. Maguire personally known to me (or proved to me on the basis of satisfactory evidence) to be the Senior Vice President of the Corporation that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same, pursuant to its bylaws, or a resolution of its Board of Directors.

WITNESS my hand and official seal.

Christine Ruhl
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Christine Ruhl, Notary Public
Horsham Twp., Montgomery County
My Commission Expires February 6, 2006
Member, Pennsylvania Association of Notaries

20030807000517240 Pg 9/9 56.00
Shelby Cnty Judge of Probate, AL
08/07/2003 13:17:00 FILED/CERTIF

EXHIBIT A (Legal Description)

20031003000666050 Pg 3/3 17.00
Shelby Cnty Judge of Probate, AL
10/03/2003 10:25:00 FILED/CERTIFIED

ALL THAT PARCEL OF LAND IN CITY OF PELHAM, SHELBY COUNTY, STATE OF ALABAMA, AS MORE FULLY DESCRIBED IN DEED BOOK 1999, PAGE 15731, ID # 13-1-2-1-0-17. 015, BEING KNOWN AND DESIGNATED AS LOT 15, SURVEY OF STONEBROOK, FILED IN PLAT BOOK 13, PAGE 135A AND 135B.

BY FEE SIMPLE DEED FROM RANDOLPH B. MCDANIEL, UNMARRIED AS SET FORTH IN BOOK 1999 PAGE 15731, DATED 02/26/1999 AND RECORDED 04/13/1999, SHELBY COUNTY RECORDS, STATE OF ALABAMA.