

This Subordination Agreement is being re-recorded to correct the instrument #.

3-40-CED
20030226000118460 Pg 1/1 11.00
Shelby Cnty Judge of Probate, AL
02/26/2003 12:53:00 FILED/CERTIFIED

20031120000763800 Pg 1/1 11.00
Shelby Cnty Judge of Probate, AL
11/20/2003 09:34:00 FILED/CERTIFIED

SUBORDINATION AGREEMENT

This Subordination of Mortgage is executed this 22 day of January, 2003
SouthTrust Bank (hereinafter referred to as "SouthTrust"),

WHEREAS, SouthTrust Bank is the owner and holder of that certain mortgage from William C. Swinney and Kathleen Swinney recorded in Instrument 2001-43668 and modified in ~~20021101000541760~~ in the Probate Office of Shelby County, Alabama, said property being more particularly described as follows: *20021101000541760

Lot 338, according to the Survey of Savannah Pointe Sector IV Phase II, as recorded in Map Book 27, page 123, in the Probate Office of Shelby County, Alabama.

WHEREAS, ABN AMRO Mortgage Group, Inc. is making a mortgage loan to William C. Swinney and Kathleen Swinney in the amount of One Hundred Thirty Nine Thousand Five Hundred dollars and 00/100 (\$139,500.00), said loan secured by a mortgage which encumbers the above-described real property.

WHEREAS, ABN AMRO Mortgage Group, Inc. as a condition for making a first mortgage loan requires SouthTrust Bank to subordinate the lien of its mortgage to the lien of ABN AMRO Mortgage Group, Inc. and SouthTrust 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 and in further consideration of the sum of Fifty and 00/100 Dollars (\$50.00) in hand paid by A. M. Robbins Mortgage Corporation to SouthTrust Bank, the receipt and sufficiency of which is hereby acknowledged, SouthTrust Bank does hereby covenant, consent, and agree to and with Castle Mortgage Corporation. that the lien of SouthTrust Bank shall be and the same is hereby made subordinate, inferior, and subject in every respect to the lien ABN AMRO Mortgage group, Inc., which encumbers the above-described property provided, however, that the subordination is limited to the amount of Forty Thousand Dollar and 00/100 (\$40,000.00)

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

SOUTHTRUST BANK

By

Its: AUP

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Stephen A. Pierce whose name as AUP of SouthTrust Bank, is signed to the foregoing instrument, and who is known 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 22 day of January, 2002.

Linda F. Mize
Notary Public

My commission expires: MY COMMISSION EXPIRES 01/01/2004

Davis & Van Buren