

WAIVER OF PRIORITY

20031120000764240 Pg 1/2 14.00
Shelby Cnty Judge of Probate, AL
11/20/2003 12:49:00 FILED/CERTIFIED

KNOW ALL MEN BY THESE PRESENTS, that Charter One Mortgage Corp ("Charter One"), as the owner and holder of the hereinafter described mortgage and note, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby WAIVE THE PRIORITY OF LIEN and operation of its certain mortgage executed by Brenda Bercier (the "Borrower") and recorded in Instrument No. 2000/05002 of the Shelby County Alabama Records, (the "Subordinate Mortgage"), and covering property further described in Exhibit A attached hereto and incorporated herein by reference (the "Property"), in favor of a mortgage in the amount of NINETY THOUSAND THREE HUNDRED DOLLARS AND NO/100 (\$ 90,300.00) to be executed by the Borrower to Charter One Mortgage Corporation securing a mortgage loan, which mortgage shall be a prior lien on the aforementioned property, without otherwise affecting the lien of the Subordinate Mortgage.

IN WITNESS WHEREOF, Charter One by its duly authorized officer has caused its name to be hereunto subscribed this 17th day of October, 2003.

Charter One Mortgage Corp

By:

Michael J. Stank
Senior Vice President

Corporate Acknowledgment

STATE OF Virginia)
) ss.
Henrico COUNTY)

Before me, a Notary Public in and for said County and State, personally appeared the above-named Charter One Mortgage Corp by Michael J. Stank, its Senior Vice President, who acknowledged that he did sign the foregoing instrument for and on behalf of said corporation, and that the same is the free act and deed of said corporation and the free act and deed of him personally and as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Glen Allen, Virginia this 17th day of October, 2003.

Saron U

Notary Public

My Commission Expires:

My Commission Expires December 31, 2007

This instrument prepared by:
Charter One Mortgage Corp
10561 Telegraph Rd.
Glen Allen, VA 23059

EXHIBIT A

Lot 141, according to the Survey of Cottages at Stonehaven
Third Addition, as recorded in Map Book 26, Page 15, in the
Probate Office of Shelby County, Alabama.