


8849



20040129000047410 Pg 1/2 14.00
Shelby Cnty Judge of Probate, AL
01/29/2004 09:03:00 FILED/CERTIFIED

THIS INSTRUMENT PREPARED BY:

✓ R. Shan Paden, Attorney at Law
Five Riverchase Ridge, Suite 100
Birmingham, Alabama 35244-2893

SUBORDINATION AGREEMENT

STATE OF ALABAMA
COUNTY OF JEFFERSON

This Subordination Agreement, made and entered into on this the 20th day of JANUARY, 2004 by and between FIRST COMMERCIAL BANK , as Party of the First Part, and MORTGAGESOUTH, LLC, as Party of the Second Part.

WITNESSETH

THAT, WHEREAS, GEORGE W. RIDDLE AND MARY P. RIDDLE, HUSBAND AND WIFE, have an outstanding loan in favor of FIRST COMMERCIAL BANK , as set forth in INSTRUMENT #20030121000037860, in the Office of the Judge of Probate of SHELBY County, Alabama on that certain real estate located at 35085 SHANDWICK PLACE, BIRMINGHAM, ALABAMA 35242 to secure an indebtedness of \$50,000.00 and said lien is in full force and effect; and,

WHEREAS, GEORGE W. RIDDLE AND MARY P. RIDDLE, HUSBAND AND WIFE, have made an application to the Party of the Second Part for a loan in the sum of \$303,500.00 and said Party of the Second Part is willing to make said loan to the said GEORGE W. RIDDLE AND MARY P. RIDDLE, HUSBAND AND WIFE, provided it furnish the party of the Second Part with a mortgage on the lands described in the aforesaid lien, and the said FIRST COMMERCIAL BANK, subordinate the above described lien and make the same second and subservient to the mortgage of MORTGAGESOUTH, LLC.; and,

WHEREAS, the said Party of the First Part is willing to subordinate its said lien and make it second and subservient to the mortgage of the said Part of the Second Part as an inducement to it to make said loan.

NOW, THEREFORE, in consideration of the premises, the said Party of the First Part does hereby agree that the lien of GEORGE W. RIDDLE AND MARY P. RIDDLE, HUSBAND AND WIFE, to FIRST COMMERCIAL BANK , recorded in the Probate Office of SHELBY County, Alabama in INSTRUMENT #20030121000037860, shall be second and subservient to the mortgage of GEORGE W. RIDDLE AND MARY P. RIDDLE, HUSBAND AND WIFE, to MORTGAGESOUTH, LLC. and recorded in the Probate Office of SHELBY County, Alabama, in INSTRUMENT #20030410000218060, to secure the sum of \$303,500.00, plus interest, on the land described therein, and the said lien of the said FIRST COMMERCIAL BANK , shall be subordinate

to the mortgage of MORTGAGESOUTH, LLC.

IT IS FURTHER agreed that should GEORGE W. RIDDLE AND MARY P. RIDDLE, HUSBAND AND WIFE, default in his/her/their payments under the terms of the real estate mortgage to MORTGAGESOUTH, LLC., the said MORTGAGESOUTH, LLC agrees to notify FIRST COMMERCIAL BANK of said default prior to taking legal action.

IN WITNESS WHEREOF, Tammy Wales, as Vice President of said FIRST COMMERCIAL BANK has caused her/his name to be hereunto signed on this the 21 day of JANUARY, 2004.

FIRST COMMERCIAL BANK

BY: Tammy Wales
As Its: Vice President

STATE OF ALABAMA
COUNTY OF Shelby

I, the undersigned, a Notary Public in and for said State and County, hereby certify that Tammy Wales, whose name as Vice President of FIRST COMMERCIAL BANK, is signed to the foregoing subordination agreement, and who is known to me, acknowledged before me on this day, that, being informed of the contents of this subordination agreement and with full authority as such officer, executed the same voluntarily.

Given under my hand and seal this 21 day of JANUARY, 2004.

Christie Cole Fuller

Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES Feb 1, 2008
RENEWED THROUGH NOTARY PUBLIC COLLEGE

My commission expires: