

20040129000047460 Pg 1/1 11.00
Shelby Cnty Judge of Probate, AL
01/29/2004 09:03:00 FILED/CERTIFIED

WAIVER OF PRIORITY

KNOW ALL MEN BY THESE PRESENTS, that CHARTER ONE BANK, N.A. ("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 Jennifer B. Walker and Travis D. Walker (the "Mortgagor") and recorded in Instrument No. 20021219000636590 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 ONE HUNDRED EIGHTY-FOUR THOUSAND DOLLARS AND ZERO CENT (\$ 184,000.00) to be executed by the Mortgagor to 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 10th day of June, 2003.

Charter One Mortgage Corporation

By: Kathryn C. Cuthrell
Its Authorized Signer

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 Bank, N.A. by Kathryn C. Cuthrell its Authorized Signer who acknowledged that she did sign the foregoing instrument as its duly authorized officer, and by authority of its Board of Directors, and that the same is the free act and deed of said Corporation, and the free act and deed of her personally and as such officer.

In Testimony Whereof, I have hereunto set my hand and official seal at Henrico County, Virginia, this 10th day of June, 2003.

Geraldine R. Williams
Notary Public Geraldine R. Williams
My Commission Expires:

My Commission Expires October 31, 2004

This instrument prepared by:
Charter One Bank, N.A.
10561 Telegraph Rd.
Glen Allen, VA 23059

I hereby certify this to be a true
& correct copy of the original
instrument.

Candace Roberson
Closing Agent