

SUBORDINATION AGREEMENT

Pursuant to the terms of the mortgage entered into by and between **RALPH L. ANDERSON, III AND KATHERINE C. ANDERSON** and **COMPASS BANK** on the 12TH day of **NOVEMBER, 2002**, and recorded in Instrument #**20021202000597290** in the Probate Office of Shelby County, Alabama. **COMPASS BANK** does declare the lien of its mortgage recorded in Instrument #**20021202000597290** in the Probate Office of Shelby County, Alabama to be second and subordinate to the lien of the mortgage given by **RALPH L. ANDERSON, III AND KATHERINE** to **NATIONAL BANK OF COMMERCE OF BIRMINGHAM** in the amount of Two Hundred Sixty-five Thousand Dollars and No/100-- (\$265,000.00) executed on the 11th day of February, 2004, and recorded in the Probate Office of Shelby County, Alabama.

Both mortgages are encumbering certain real property described as:

LOT 1611, ACCORDING TO THE SURVEY OF BROOK HIGHLAND, 16TH SECTOR, PHASE II, AN EDDLEMAN COMMUNITY AS RECORDED IN MAP BOOK 28 PAGE 16 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

IN WITNESS WHEREOF, this Subordination Agreement has been executed on this 3rd day of February, 2004.

By:
Its:

Daniel M. Sims, Jr.
DANIEL M. SIMS, JR.
VICE PRESIDENT

STATE OF ALABAMA
COUNTY OF Jefferson

I, the undersigned, a Notary Public, in and for said County in said State hereby certify that Daniel M. Sims, Jr. whose name as Vice President of Compass Bank is signed to the foregoing Agreement and who is known to me acknowledged before me that being informed of the contents of the above and foregoing Agreement he, in his capacity as such officer executed the same for and as the act of said corporation.

Given under my hand this the 3rd of February, 2004.

My Commission Expires 10-17-06

Shelia M. Mashel
Notary Public

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