


Prepared by: Law Offices of Joshua Karas

Return To: Washington Mutual Bank, F.A.
8880 Freedom Crossing Trail
Jacksonville, FL 32256


20040319000142900 Pg 1/3 17.00
Shelby Cnty Judge of Probate, AL
03/19/2004 14:55:00 FILED/CERTIFIED

SUBORDINATION AGREEMENT

TITLE OF DOCUMENT

This Subordination Agreement, made this 20 day of February, 2004, by **SOUTH TRUST BANK** (hereinafter referred to as "First Party"), in favor of **WASHINGTON MUTUAL BANK, F.A., its successors and/or assigns, as their respective interest may appear**, (hereinafter referred to as "Second Party");

WITNESSETH:

THAT WHEREAS, First Party is the owner and holder of that certain mortgage from **JOHN KEITH KENNEDY and SONJIA K. KENNEDY**, Husband and Wife (hereinafter referred to as "Owners"), in the amount of \$35,000.00, Open-Ended to \$35,000.00, dated April 12, 2002 and recorded May 21, 2002 in Book 2002, Page 23918 in the Probate Office of Shelby County, Alabama, which said mortgage encumbers the property known as 2551 County Road 69, Chelsea, Alabama 35043, and being further described as follows:

THE PREMISES SITUATED IN THE CITY OF CHELSEA, COUNTY OF SHELBY, STATE OF ALABAMA, BEING KNOWN AS TAX IDENTIFICATION NO. 15-5-21-0-000-009.004, SAID PREMISES COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST 1/2 OF THE NORTHWEST 1/4, SECTION 21, TOWNSHIP 20 SOUTH, RANGE 1 WEST; THENCE SOUTH 01 DEGREES 12' 37" WEST FOR 676.08 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF SHELBY COUNTY HIGHWAY NO. 69; THENCE RUN A CHORD BEARING OF SOUTH 53 DEGREES 44' 41" EAST ALONG A CURVE WITH A DELTA OF 2 DEGREES 50' 40", AN ARC OF 305.18 FEET, AND A CHORD OF 305.15 FEET TO A POINT; THENCE RUN NORTH 01 DEGREES 13' 05" EAST FOR 856.52 FEET TO A POINT ON THE NORTH BOUNDARY LINE OF SAID SECTION; THENCE RUN NORTH 89 DEGREES 59' 06" WEST FOR 250 FEET TO THE POINT OF BEGINNING; CONTAINING 4.40 ACRES, MORE OR LESS, ACCORDING TO THE SURVEY OF RANDY W. RICHARDSON, REGISTRATION NO. 15153 DATED JANUARY 9, 1992, AND BEING THE SAME PREMISES CONVEYED BY NORMA JEAN KENNEDY, UNMARRIED, BY DEED DATED NOVEMBER 10, 1993 AND RECORDED NOVEMBER 10, 1993 IN BOOK 1993, PAGE 35700 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA,

WHEREAS, Second Party is about to make a loan secured by a Mortgage and Note not to exceed \$63,500.00 dated March 12, 2004, executed by said Owners on the above-described property;

WHEREAS, Second Party will not make said loan unless First Party subordinates its mortgage to Second Party;

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable considerations, the Parties hereto agree as follows:

The First Party, said **SOUTH TRUST BANK**, consents and agrees that the mortgage recorded in Book 2002, Page 23918 in the Probate Office of Shelby County, Alabama is and shall constitute to be subject and subordinate to the lien of the mortgage being made to Second Party, which mortgage shall be recorded as Instrument No. _____ in the Probate Office of said Shelby County, Alabama.

IN TESTIMONY whereof, said **SOUTH TRUST BANK** has caused these presents to be signed, acknowledged, and delivered in its name and behalf this 20 day of February, 2004.

FIRST PARTY:
SOUTH TRUST BANK

CORPORATE SEAL

BY: Stephen Pierce
AV. President

BY: Sarah Noyes
Secretary



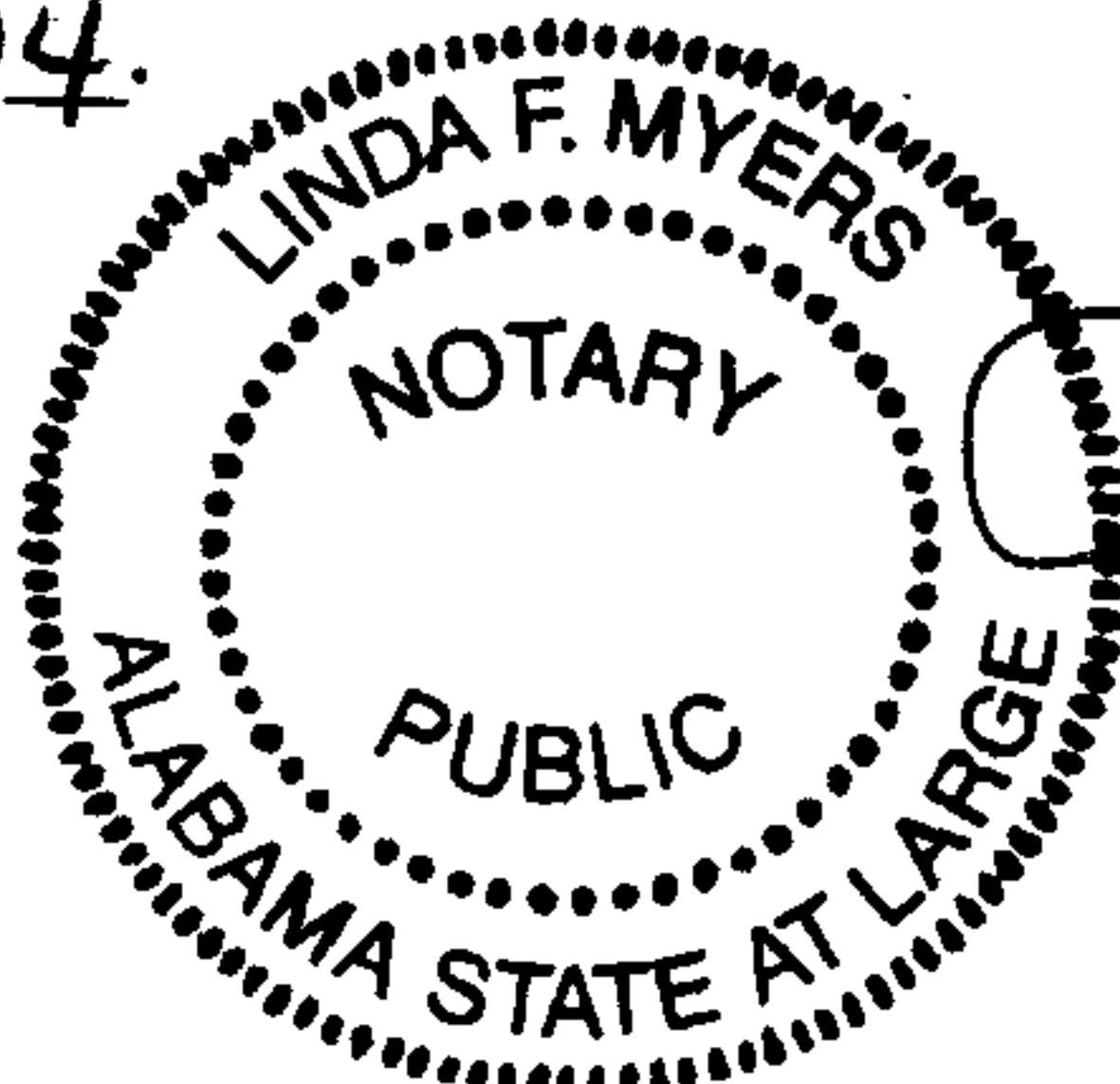
ACKNOWLEDGEMENT

STATE OF Alabama)
COUNTY OF Jefferson)

On this 20 day of Feb, 2004, before me, Linda F. Myers, a Notary Public (or before any officer within this State or without the State now qualified under existing law to take acknowledgements), duly commissioned, qualified and acting within

and for said County and State, appeared in person the within named Stephen A Pierce ^{AS} ~~and~~ **Asst. Vice President** of South Trust Bank, a corporation, and were duly authorized in their respective capacities to execute the foregoing instruments for and in the name and behalf of said corporation, and further stated and acknowledged that they had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 20 day of February, 2004.



Linda F. Myers
Notary Public
My Commission Expires MY COMMISSION EXPIRES MAY 30, 2005

IN TESTIMONY whereof, said WASHINGTON MUTUAL BANK, F.A. has caused these presents to be signed, acknowledged, and delivered in its name and behalf this 12 day of March, 2004.

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SECOND PARTY:
WASHINGTON MUTUAL BANK, F.A.

CORPORATE SEAL

BY: [Signature]
A.V. President

BY: [Signature]
Secretary

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF DUVAL

On this 27th day of FEBRUARY, 2004, before me, DANIEL P. BLOCK, a Notary Public (or before any officer within this State or without the State now qualified under existing law to take acknowledgements), duly commissioned, qualified and acting within

and for said County and State, appeared in person the within named HARVEY ROSENBLUM As and SENIOR A.V.P. of Washington Mutual Bank, F.A., a corporation, and were duly authorized in their respective capacities to execute the foregoing instruments for and in the name and behalf of said corporation, and further stated and acknowledged that they had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 27th day of FEBRUARY, 2004.

DANIEL P. BLOCK
Notary Public, State of Florida
My comm. exp. Jan. 23, 2007
Comm. No. DD 179650

Daniel P. Block
Notary Public
My Commission Expires: 01/23/2007