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20040325000152430 Pg 1/2 14.00  
Shelby Cnty Judge of Probate, AL  
03/25/2004 11:07:00 FILED/CERTIFIED

## SUBORDINATION AGREEMENT

Pursuant to the terms of the mortgage entered into by and between James David Johnsey and Susan W. Kelly to National Bank of Commerce of Birmingham on August 28, 2001 and recorded in Instrument #2001-41344 in the Probate Office of Shelby County, Alabama.

National Bank of Commerce of Birmingham does declare the lien of its mortgage dated August 28, 2001 and recorded in Instrument #2001-41344 in the Probate Office of Shelby County, Alabama to be second and subordinate to the lien of mortgage given by National Bank of Commerce in the amount of One Hundred Twenty Seven Thousand Dollars and no/100—(\$127,000.00) executed on March 11, 2004 and recorded in the Probate Office of Shelby County, Alabama.

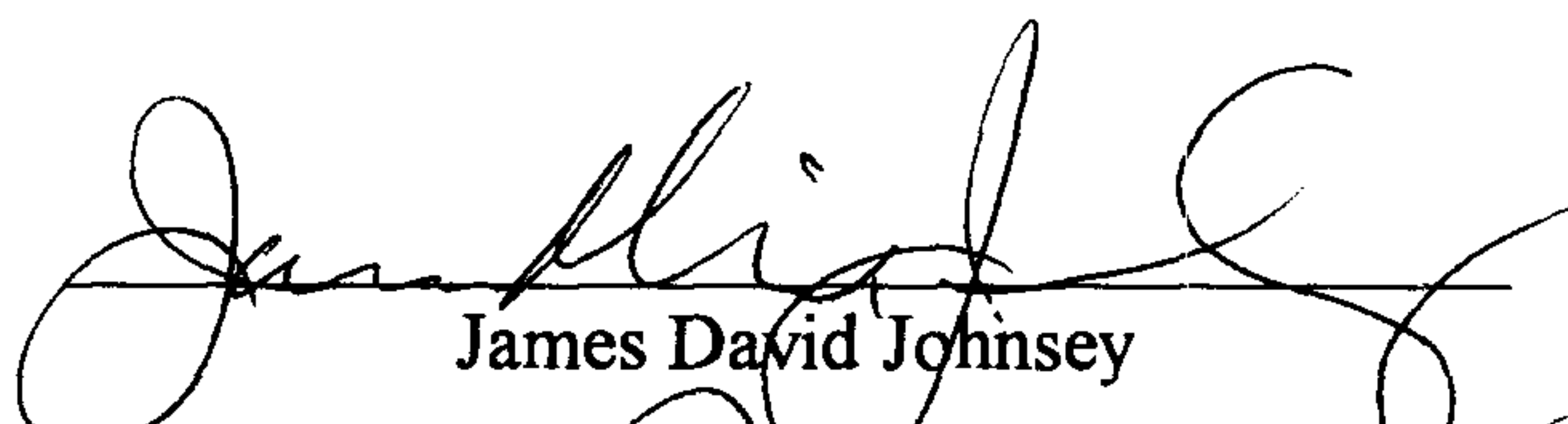
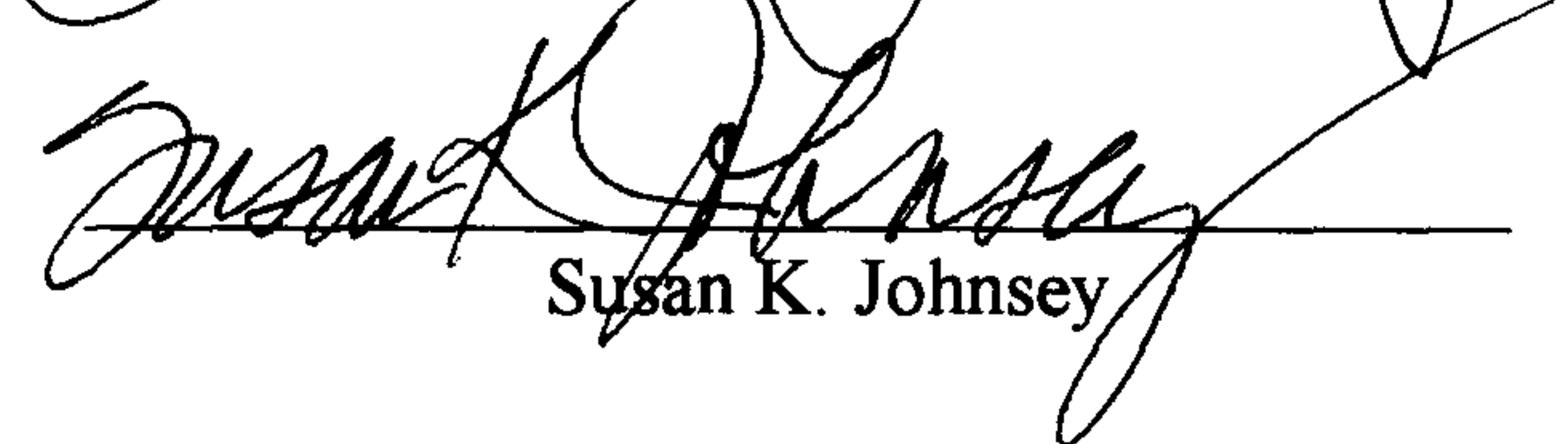
Both mortgages are encumbering certain real property described as:

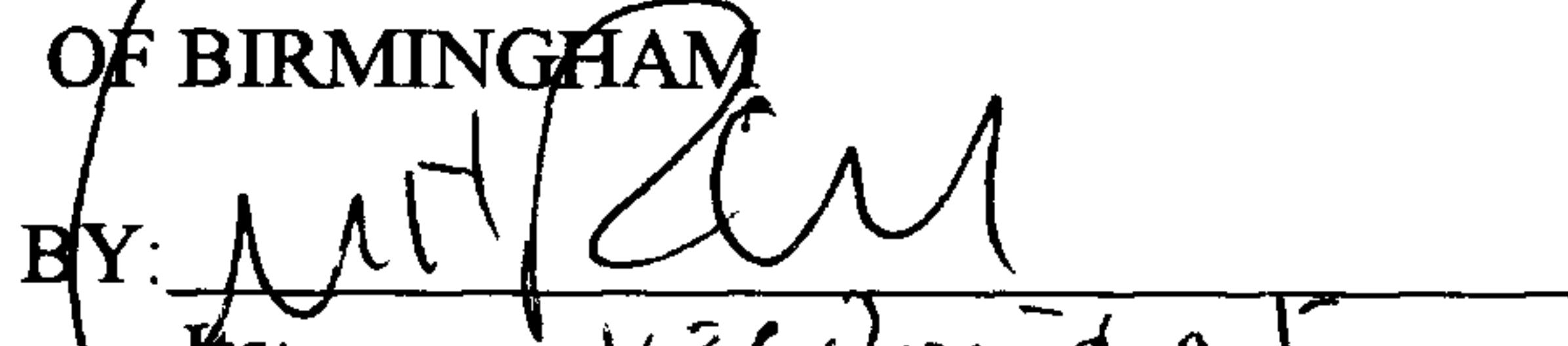
LOT 29, ACCORDING TO THE SURVEY OF SHELBY SHORES 1978 ADDITION, AS RECORDED IN MAP BOOK 7, PAGE 88, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

\*\*\*SUSAN W. KELLEY AND SUSAN K. JOHNSEY ARE ONE IN THE SAME PERSON.

IN WITNESS WHEREOF, this Subordination Agreement has been executed on this

10<sup>th</sup> of March, 2004.

  
James David Johnsey  
  
Susan K. Johnsey

NATIONAL BANK OF COMMERCE  
OF BIRMINGHAM  
BY:   
Its: vice president

STATE OF ALABAMA       )  
COUNTY                    )

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that \_\_\_\_\_ whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he executed the same voluntarily on the date the same bears date.

Given under my hand and official seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Notary Public

AFFIX SEAL

My Commission Expires: \_\_\_\_\_

STATE OF ALABAMA       )  
COUNTY OF Jefferson    )

I, ~~the~~ undersigned, a Notary Public, in and for said county in said state hereby certify that Lee Riley whose name as VP of National Bank of Commerce of Birmingham 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 or she, is his/her capacity as such officer executed the same for and as the act of said corporation.

Given under my hand and official seal of office this the 10<sup>th</sup> day of March, 2004.

Shay L. Graywick  
Notary Public

AFFIX SEAL

My Commission Expires: \_\_\_\_\_

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Feb 21, 2008  
BONDED THRU NOTARY PUBLIC UNDERWRITERS