

20040524000273350 Pg 1/1 11.00
Shelby Cnty Judge of Probate, AL
05/24/2004 11:08:00 FILED/CERTIFIED

SUBORDINATION AGREEMENT

This Agreement made this date by John C. Draper, III and wife, Kathryn B. Draper (herein called First Party), in favor of Alamerica Bank (herein called Second Party).

Whereas, First Party is the owner and holder of that certain mortgage recorded in **Instrument #2004-9206**, in the Probate Office of Shelby County, Alabama, which said mortgage encumbers the property described in Exhibit A attached hereto:

Whereas, Second Party, on May 14, 2004, made a loan secured by a mortgage executed by RM Properties, LLC, in the amount of \$740,000.00 secured by a mortgage on the above-described property; and

Whereas, the Second Party will not make the said loan unless the First Party subordinates its mortgage to the Second Party.

Now, therefore, in consideration of One Dollar and other good and valuable considerations, the Parties hereto agree as follows:

The First Party, John C. Draper, III and wife, Kathryn B. Draper, consents and agrees that the mortgage recorded in **Instrument #2004-9206**, in the Probate Office of Shelby County, Alabama, with the maximum available credit on said mortgage is \$300,000.00, is and shall continue to be, subject and subordinate in lien to the lien of the mortgage being made to the Second Party, which mortgage is recorded as Instrument # * Inst # 20040524 000273330 in the Probate Office of Shelby County, Alabama.

Dated this 14th day of May, 2004.

John C. Draper, III [SEAL]
John C. Draper, III
Kathryn B. Draper [SEAL]
Kathryn B. Draper

STATE OF ALABAMA)
COUNTY OF AUTAUGA)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that John C. Draper, III and wife, Kathryn B. Draper, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they executed the same voluntarily on the day the same bears date. Given under my hand and official seal this 14th day of May, 2004.

Kathryn Parker
Notary Public

My Commission Expires: 08/27/07

