

**SUBORDINATION AGREEMENT**

20040428000219730 Pg 1/2 14.00  
Shelby Cnty Judge of Probate, AL  
04/28/2004 10:35:00 FILED/CERTIFIED

20040603000295830 Pg 1/3 17.00  
Shelby Cnty Judge of Probate, AL  
06/03/2004 10:43:00 FILED/CERTIFIED

THIS SUBORDINATION OF MORTGAGE executed this 21st day of April, 2004 by  
CITIFINANCIAL CORPORATION.

"WITNESSETH"

20040622000340420 Pg 1/3 18.00  
Shelby Cnty Judge of Probate, AL  
06/22/2004 16:28:00 FILED/CERTIFIED

WHEREAS, Mortgagee is the owner and holder of that certain mortgage from Howard E. Earnest and Sheila D. Earnest, Husband and Wife, to Citifinancial Corporation, dated June 13<sup>th</sup>, 2001, and recorded in Inst. No. 2001-24572, in the Probate Office of Shelby County, Alabama, said property being more particularly described as follows:

ALL THAT PARCEL OF LAND IN CITY OF HELENA, SHELBY COUNTY, STATE OF ALABAMA, AS MORE FULLY DESCRIBED IN DEED INSTRUMENT NUMBER, 2000-22147, ID# 13-4-20-1-007-013.000, BEING KNOWN AND DESIGNATED AS LOT 1013, MAP AND SURVEY OF OLD CAHABA 10<sup>TH</sup> SECTOR, FILED IN PLAT BOOK 26, PAGE 112.

BY FEE SIMPLE DEED FROM AMERICA'S HOMES AND LAND CORPORATION AS SET FORTH IN INSTRUMENT NUMBER 2000-22147 DATED 06/28/2000, SHELBY COUNTY RECORDS, STATE OF ALABAMA.

WHEREAS, MortgageAmerica, Inc. and/or its successors and assigns as their interests may appear, is making a mortgage loan to Howard E. Earnest and Sheila D. Earnest, Husband and Wife, in the amount of \$143,212.00, to refinance their original first mortgage loan to MERS, as nominee for Countrywide Home Loans, Inc., dated March 2nd, 2001, and recorded in Inst. No. 2001-11294, in the Probate Office of Shelby County, Alabama, said loan secured by a mortgage which encumbers the above described real Property:

WHEREAS, MortgageAmerica, Inc. and/or its successors and assigns as their interests may appear, as a condition for making a new mortgage loan, requires Mortgagee to subordinate the lien of its mortgage to the lien of the new MortgageAmerica, Inc. and/or its successors and assigns as their interests may appear, loan, recorded in Shelby County Inst. No.

\*, and mortgagee has agreed to do so.

**\*\***  
**\*\*\*** \* 20040428000219720

**\*\*** said mortgage being re-recorded in Inst. No. 20040603000295820

**\*\*\*** said mortgage being re-recorded again in Inst. No. 20040622000340410

20040428000219730 Pg 2/2 14.00  
Shelby Cnty Judge of Probate, AL  
04/28/2004 10:35:00 FILED/CERTIFIED

NOW, THEREFORE, for and in consideration of the premises hereof and of the mutual advantages and benefits accruing to the parties hereto, and in further consideration of the sum of ONE DOLLAR (a hand paid by MortgageAmerica, Inc. and/or its successors and assigns as their interest may appear, to MortgageAmerica, Inc. receipt and sufficiency of which is hereby acknowledged, Mortgagee does hereby consent, consent and agree to and with MortgageAmerica, Inc. and/or its successors and assigns as their interest may appear, that the lien of CITIFINANCIAL CORPORATION, shall be and the same is hereby made subordinate, inferior and subject in every respect to the lien of MortgageAmerica, Inc. and/or its successors and assigns as their interest may appear, which was granted by Howard E. Earnest and Sheila D. Earnest, Husband and Wife, to reimburse the original first mortgage to MERS, as nominee for Countrywide Home Loans, Inc., recorded as Instrument 1000-1-004, in the Probate Office of Shelby County, Alabama, which encumbers the above described property, provided, however that this subordination is limited to the amount of \$543,112.00

IN WITNESS WHEREOF, This agreement is executed the day and year first written above

Signed, sealed and delivered  
in the presence of:

CITIFINANCIAL CORPORATION

*Gueneva Wilburn*  
Witness

BY: *Garrett Jackson*  
Typed Name Title  
District Manager

STATE OF Alabama  
COUNTY OF Jefferson

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of April, 2004,  
by Garrett Jackson of CITIFINANCIAL  
CORPORATION, on behalf of the company.

*Robert J. Emery*  
Notary Public

My Commission Expires: 4/6/07

This instrument prepared by  
Mont. J. Palmer, Jr., Attorney at Law  
2100-C Rocky Ridge Road  
Birmingham, AL 35244

RECORDER'S MEMORANDUM  
At the time of recordation, this  
instrument was found to be  
inadequate for the best photo-  
graphic reproduction.



20040428000219730 Pg 2/2 14.00  
Shelby Cnty Judge of Probate, AL  
04/28/2004 10:35:00 FILED/CERTIFIED

NOW, THEREFORE, for and in consideration of the premises hereof and of the mutual advantages and benefits accruing to the parties hereto, and in further consideration of the sum of ONE DOLLAR in hand paid by MortgageAmerica, Inc. and/or its successors and assigns as their interests may appear, to Mortgagee, the receipt and sufficiency of which is hereby acknowledged, Mortgagee does hereby covenant, consent and agree to and with MortgageAmerica, Inc. and/or its successors and assigns as their interests may appear, that the lien of CITIFINANCIAL CORPORATION, shall be and the same is hereby made subordinate, inferior and subject in every respect to the lien of MortgageAmerica, Inc. and/or its successors and assigns as their interests may appear, which was granted by Howard E. Earnest and Sheila D. Earnest, Husband and Wife, to refinance the original first mortgage to MERS, as nominee for Countrywide Home Loans Inc., recorded in Inst. No. 2001-11294, in the Probate Office of Shelby County, Alabama, which encumbers the above described property, provided, however that this subordination is limited to the amount of \$143,212.00.

IN WITNESS WHEREOF, this agreement is executed the day and year first written above

Signed, sealed and delivered  
in the presence of:

CITIFINANCIAL CORPORATION

Janetela Wierman  
Witness

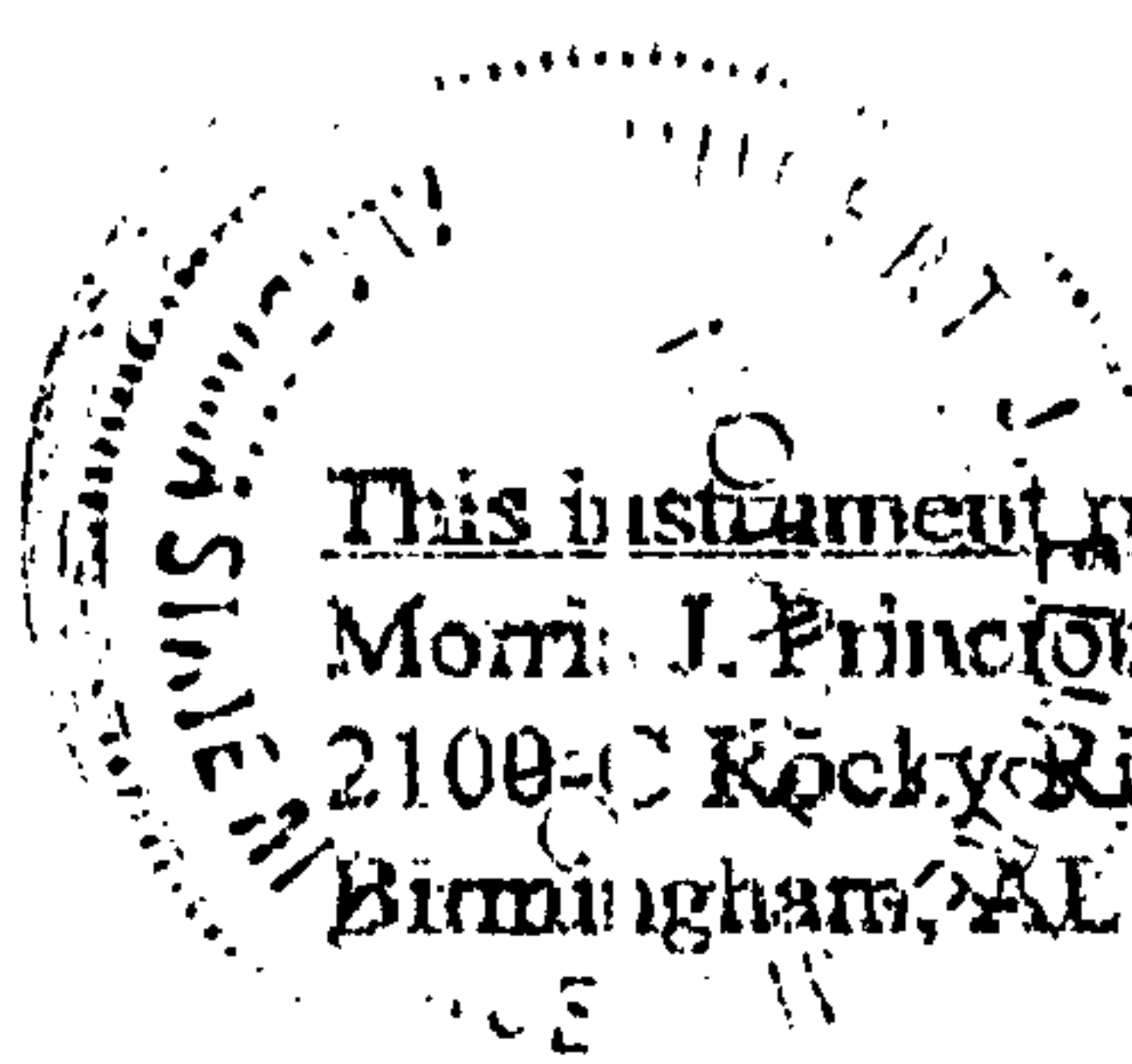
BY: [Signature]  
Garrett Jackson, District Manager  
Typed Name Title

STATE OF Alabama  
COUNTY OF Tallapoosa:

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of April, 2004,  
by Garrett Jackson of CITIFINANCIAL  
CORPORATION, on behalf of the company.

[Signature]  
Notary Public

My Commission Expires: 4/6/07



This instrument prepared by:  
Morris J. Princeton, Jr., Attorney at Law  
2100-C Rocky Ridge Road  
Birmingham, AL 35216

20040603000295830 Pg 3/3 17.00  
Shelby Cnty Judge of Probate, AL  
06/03/2004 10:43:00 FILED/CERTIFIED

20040622000340420 Pg 3/3 18.00  
Shelby Cnty Judge of Probate, AL  
06/22/2004 16:28:00 FILED/CERTIFIED