

APN: 093070002002

Recording Requested by: LSI  
When Recorded Mail to:  
Attn: Custom Recording Solutions  
2550 N. Red Hill Ave.  
Santa Ana, CA 92705  
800-756-3524

CRS# 748927

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## SUBORDINATION AGREEMENT

prepared by  
Diane P. Peña  
USAA Federal Savings Bank  
10750 McDermott Freeway  
San Antonio, TX 78288

**WHEN RECORDED MAIL TO:**

USAA Federal Savings Bank  
10750 McDermott Freeway  
San Antonio, TX 78288-0558

Attn: Consumer Lending Document Control

**SUBORDINATION OF LIEN**

Date: April 14, 2004

Subordinating Party: USAA Federal Savings Bank

**Subordinated Lien:**

Date: **January 19, 2002**

Grantor(s): **Kenneth W. Smith II and George-Ann Smith**

Beneficiary: USAA Federal Savings Bank

Note Secured by Subordinated Lien: Note dated **January 19, 2002**, in the original principal amount of **\$51,000.00**.

Recording Information: **Mortgage** dated **January 19, 2002**, recorded on **February 5, 2002** at **Shelby County, State of Alabama** in **Instrument No. 2002-06096**, which mortgage is a lien upon the said premises located at **1037 Eagle Valley Drive, Birmingham, AL 35242**.

**Superior Lien:**

Date: \_\_\_\_\_, 2004

Borrower(s): **Kenneth W. Smith II and George-Ann Smith**

Lender: **Wells Fargo Home Mortgage**

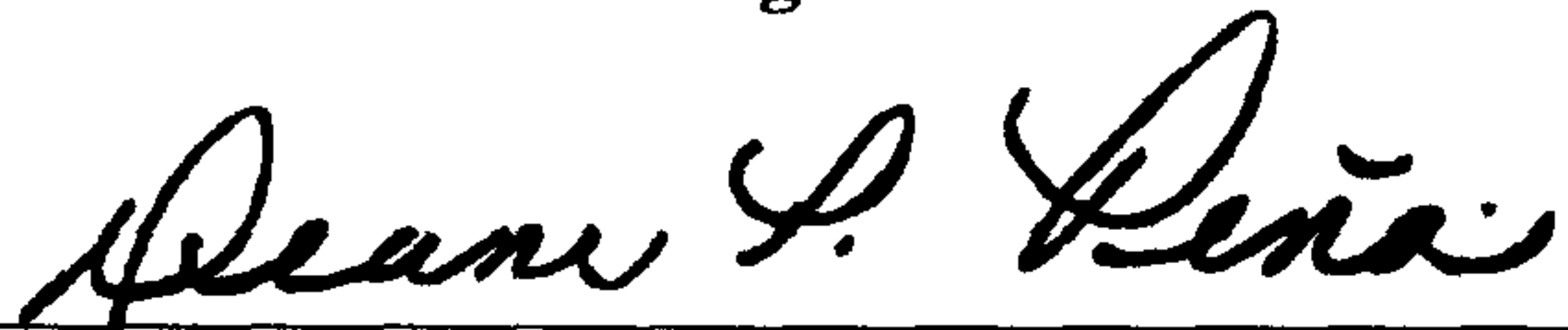
Note Secured by Superior Lien: Note dated Feb 29, 2004  
with a loan amount not to exceed ~~\$235,000.00~~  
\$230,703.00

Property Address: **1037 Eagle Valley Drive, Birmingham, AL 35242**

Subordinating Party is the owner and holder of the Subordinated Lien, which is a lien against the Property.

For value received, Subordinating Party subordinates the Subordinated Lien against the Property to the Superior Lien and agrees that the Subordinated Lien will remain subordinate to the Superior Lien regardless of the frequency or manner of renewal, extension, change, or alteration of the Superior Lien or the Note Secured by Superior Lien.

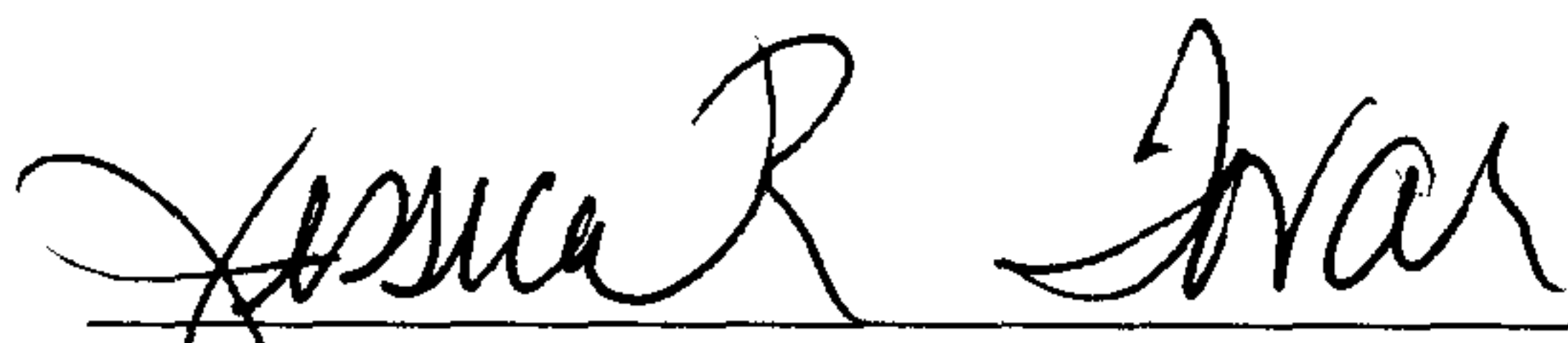
**USAA Federal Savings Bank**



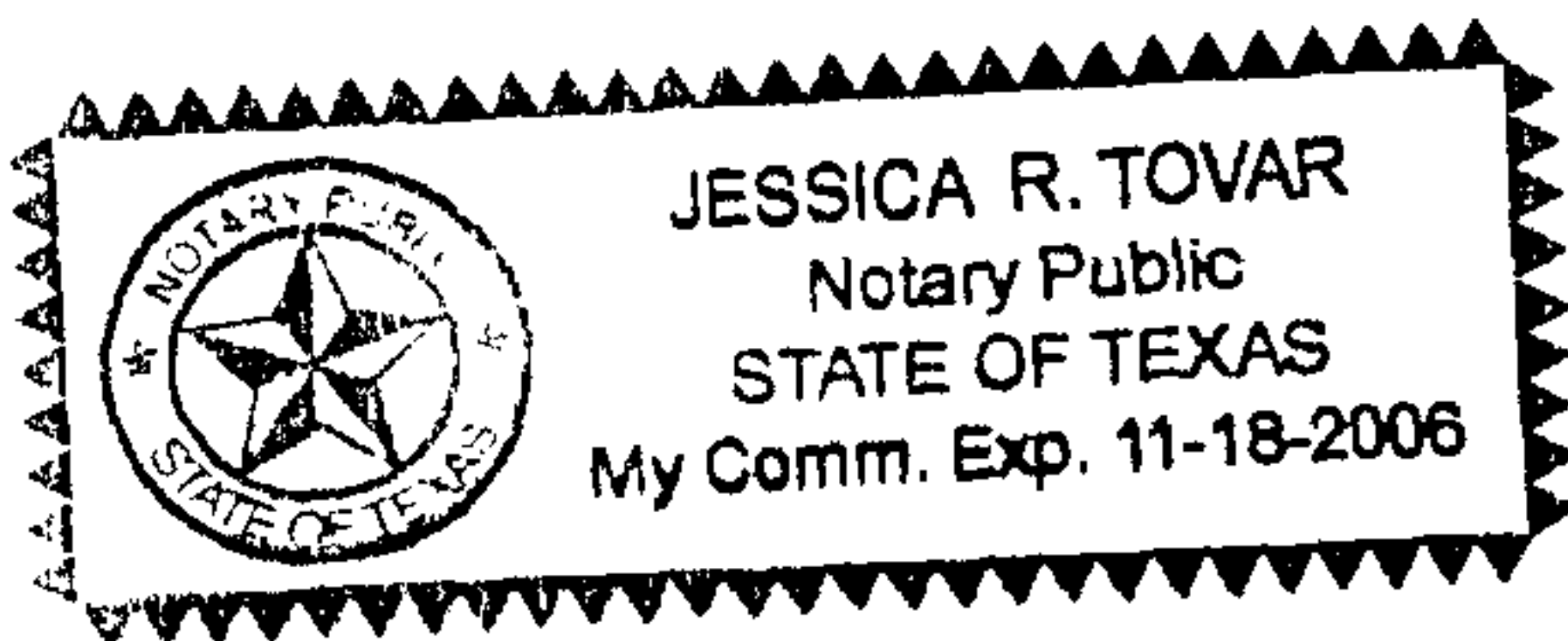
By: **Diane P. Peña**  
**Consumer Lending Officer**

STATE OF TEXAS           §  
                                     §  
COUNTY OF BEXAR       §

On **April 14, 2004**, before me, the undersigned appeared **Diane P. Peña**, **Consumer Lending Officer**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument, and that such individual made such appearance before the undersigned in the County of Bexar and the State of Texas.



**Jessica R. Tovar**  
Notary Public  
State of Texas  
My Commission Expires: **11-18-2006**



## **Legal Description**

### **Exhibit "A"**

Loan Number :

Borrower : KENNITH W SMITH And  
GEORGE-ANN SMITH

THE FOLLOWING DESCRIBED REAL  
ESTATE, LYING AND BEING IN THE COUNTY OF SHELBY, STATE OF ALABAMA, TO-WIT:

LOT 852, ACCORDING TO THE SURVEY OF EAGLE POINT 8TH SECTOR, PHASE I, AS  
RECORDED IN MAP BOOK 24,  
PAGE 127 A AND 127 B, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

BEING THE SAME PARCEL CONVEYED TO KENNITH W. SMITH AND GEORGE-ANN SMITH  
FROM SCHOLL CONSTRUCTION, INC. A CORPORATION , BY VIRTUE OF A DEED DATED  
10/11/1999, RECORDED 10/12/1999, IN INSTRUMENT NO. 1999-42349, IN SHELBY COUNTY,  
ALABAMA.

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