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Shelby Cnty Judge of Probate,AL
06/02/2004 13:59:00 FILED/CERTIFIED

STATE OF ALABAMA
COUNTY OF Shelby

SUBORDINATION AGREEMENT

THIS SUBORDINATION AGREEMENT, made and entered into this the 17th day of May, 2004, by and between Countrywide Home Loans, Inc., (hereinafter "Countrywide"), and TrustMark National Bank (hereinafter "Trustmark").

WITNESSETH THAT, WHEREAS, Ben Spivey and Blanche A. Spivey, have an outstanding mortgage lien in favor of Countrywide on that certain real property described hereinafter to secure an indebtedness in the amount of \$90,000.00, and said lien is in full force and effect, said real property being more particularly described as follows:

Lot 114A, according to the Resurvey of Brook Highland, 3rd Sector, as recorded in Map Book 15, Page 69, in the Probate Office of Shelby County, Alabama.



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and,

WHEREAS, Ben Spivey and Blanche A. Spivey (hereinafter "Borrower", whether on or more), has/have made an application to Trustmark for a loan in the sum of \$ 98000 and Trustmark is willing to make said loan to Borrower provided he/she/they furnish it with a mortgage on the lands described in the aforesaid lien, and further provided that Countrywide subordinate the hereinabove described lien and make the same third and subservient to the mortgage of Trustmark; and

WHEREAS, it is the desire and intention of Countrywide to subordinate the lien, operation and effect of the above described mortgage in favor of Countrywide, for the full balance thereof, to the lien and operation of the aforesaid mortgage of Trustmark, in order that last said lien and mortgage shall become a lien of first priority on the real property described hereinabove, and further, that the lien and mortgage in favor of Countrywide shall be, and the same are by these presents made, second, junior and subservient to that lien and mortgage of Trustmark in every manner whatsoever.

NOW THEREFORE, in consideration of the premises and the sum of Ten and 00/100 (\$10.00), receipt of which is acknowledged, the undersigned does hereby agree that the mortgage lien of Ben Spivey and Blanche A. Spivey to Countrywide Home Loans, Inc., dated May 31, 2002, and recorded as Instrument No. 2002-26922 in the Office of the Judge of Probate of Shelby County, Alabama, shall be second and subservient to that certain first mortgage of Ben Spivey and Blanche A. Spivey to TrustMark National Bank, dated 05-20-04, and recorded as Instrument No. * / **, in the Office of the Judge of Probate of Shelby, Alabama, to secure the sum of \$98000, plus interest thereon, said lien of Countrywide Home Loans, Inc. being subordinated to the first mortgage of TrustMark National Bank. *Inst # 20040602000294070**

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on this the 17th day of May, 2004. **Inst # 20040819000464080

Countrywide Home Loans, Inc.

By: Abraham Bartamian
Its: Assistant Secretary

** AND RE-RECORDED AS INST. NO. 2004

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF CALIFORNIA)

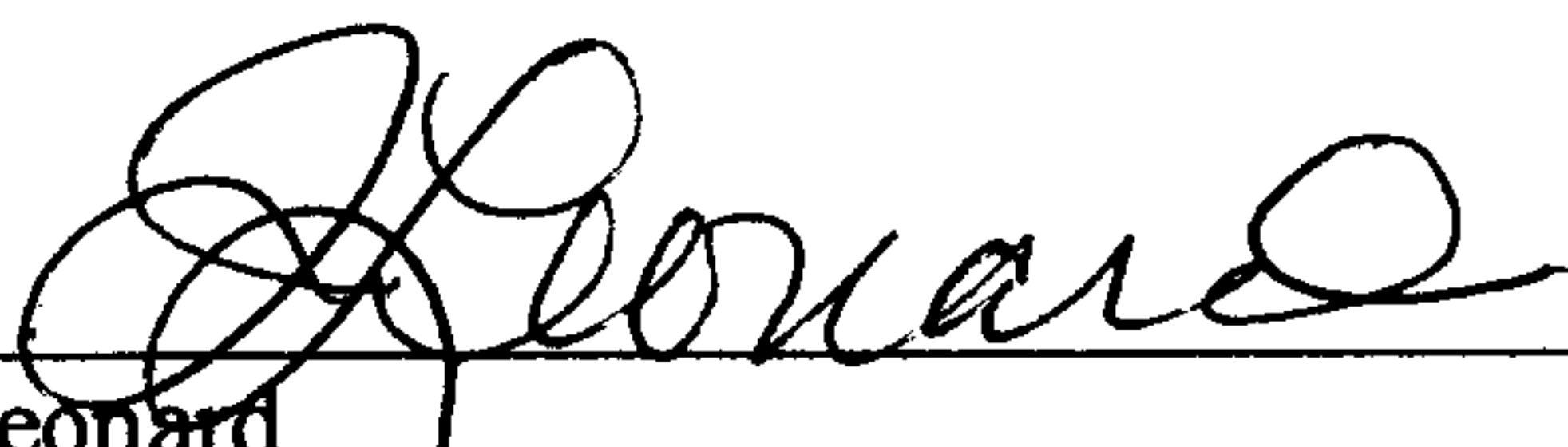
) SS.

COUNTY OF VENTURA)

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On this 17th day of May, 2004, before me, **J. Leonard**, Notary Public, personally appeared **Abraham Bartamian**, personally known to me to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.



J. Leonard
Notary Public - Commission No. 1343593
Commission Expires: Feb 17, 2006

