

SUBORDINATION AGREEMENT

Pursuant to the terms of the mortgage entered into by and between Larry Hipp and Kathryn Hipp to National Bank of Commerce of Birmingham on October 29, 2004 and recorded in Instrument # _____ in the Probate Office of Shelby County, Alabama.

National Bank of Commerce of Birmingham does declare the lien of its mortgage dated October 29, 2004 and recorded in Instrument # * _____ in the Probate Office of Shelby County, Alabama to be second and subordinate to the lien of mortgage given to New South Federal Savings Bank in the amount of One Hundred Twenty-Nine Thousand Six Hundred Dollars and no/100-----(\$129,600.00) executed on October 29, 2004 recorded in the Probate Office of Shelby County, Alabama.

Both mortgages are encumbering certain real property described as:

LOT 1123, ACCORDING TO THE MAP OF SECOND ADDITION, OLD CAHABA, PHASE III, RECORDED IN MAP BOOK 29, PAGE 33, IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.

IN WITNESS WHEREOF, this Subordination Agreement has been executed on this 29th of October, 2004.

Larry Hipp

Kathryn Hipp

NATIONAL BANK OF COMMERCE
OF BIRMINGHAM

BY:

Its: VP

Pader

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 Carl W. Albright III 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 24th day of October, 2004.

Stephanie R Snider
Notary Public

AFFIX SEAL

My Commission Expires: 9/1/08

This document prepared by:
Stevie Snider, NBC Private Banking