

## SUBORDINATION AGREEMENT

20050104000002260 Pg 1/2 14.00  
Shelby Cnty Judge of Probate, AL  
01/04/2005 12:26:00 FILED/CERTIFIED

This Agreement made this date by and between SouthTrust Bank (herein called First Party), and SouthTrust Mortgage Corporation (herein called Second Party).

Whereas, the First Party is the owner and holder of that certain mortgage recorded in Instr.20040803000431240 and assigned to SouthTrust Bank as recorded in Instr.#20040920000516120 executed by Kenneth H. Underwood and Elizabeth Lea Underwood, in the Probate Office of Shelby County, Alabama, which mortgage encumbers the property described as follows:

Lot 20-A, according to the Survey of Stonegate Realty, Lake Lots Resurvey, being a resurvey of Lots 18, 19, 20, 22, 23, and Common Area, as recorded in Map Book 29, page 139, in the Probate Office of Shelby County, Alabama, being situated in Shelby County, Alabama.

Whereas, the Second Party will not make a mortgage loan on said property unless the First Party subordinates its mortgage to that mortgage of the Second Party.

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

The First Party, SouthTrust Bank, consents and agrees that the lien of its mortgage recorded in Inst. #20040803000431240 and assigned in Instr.#20040920000516120, is and shall continue to be, subject and subordinate in lien to the lien of the mortgage in the amount of \$470,900.00 being made by the Second Party, which mortgage is recorded in Instr. #20050104000002250 in the said Probate Office.

Done this 20 day of December, 2004.

SouthTrust Bank

BY:

Stephen A. Perie



STATE OF ALABAMA

COUNTY OF Jefferson

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Stephen A. Perie whose name as Vice Pres., of SouthTrust Bank, a corporation, 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 the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 20 day of December, 2004.

Lester F. Fye  
Notary Public

STATE OF AL

COUNTY OF Jefferson

On \_\_\_\_\_ before

Me, \_\_\_\_\_

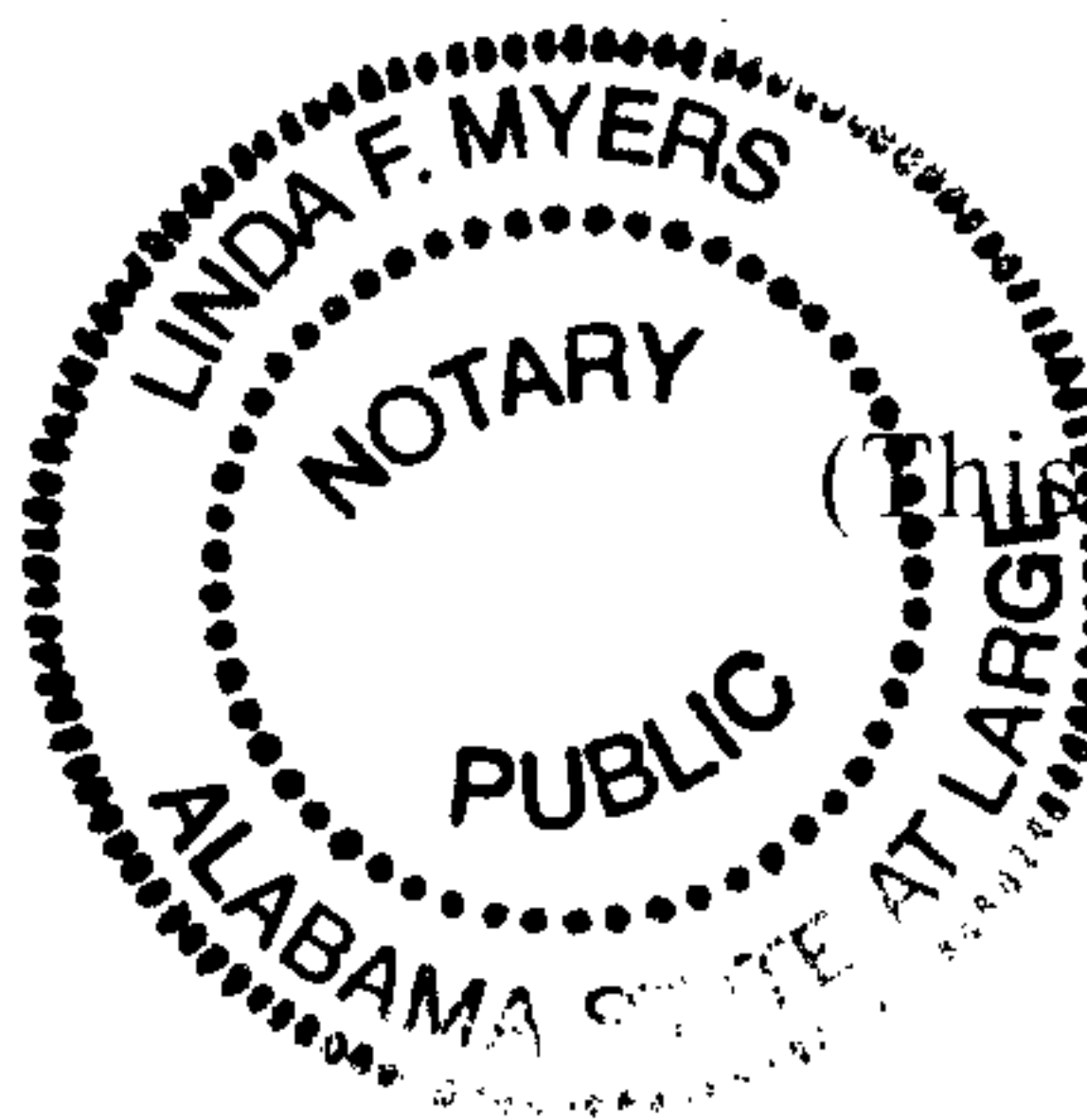
Personally Appeared \_\_\_\_\_

Personally known to me (or proved to me on the basis of satisfactory evidence 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 the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Linda F. Myers Signature of Notary Public

MY COMMISSION EXPIRES JULY 03, 2006



(This area for notarial seal)