


Prepared by & Return to:  
TransContinental Title Co.  
4033 Tampa Rd Suite 101  
Oldsmar, FL 34677  
800-225-7800

  
20050218000079640 Pg 1/3 17.00  
Shelby Cnty Judge of Probate, AL  
02/18/2005 11:02:00 FILED/CERTIFIED

267609

## SUBORDINATION AGREEMENT

**THIS INDENTURE**, made this <sup>2nd</sup>~~27th~~ day of <sup>Nov</sup>~~October~~, 2004, between Citifinancial, hereinafter called party of the First Part, and, ("MERS"), solely as nominee for Lender as hereinafter defined, and Lender's successors and assigns). MERS is organized and existing under the laws of Delaware, and has an address of P.O. Box 2026, Flint, MI 48501-2026. **WATERMARK FINANCIAL PARTNERS INC.** hereinafter called party of the Second Part,

**WITNESSETH**, that whereas Party of the First Part is the owner and holder of a certain Mortgage/Deed of Trust/Security Deed dated in the original principal indebtedness of Twenty-One Thousand One Hundred Thirty-Seven Dollars and Fifty-Two Cents. (\$21,137.52), to Party of the First Part, which Mortgage/Deed of Trust/Security Deed was recorded on 04/29/2003, in Instrument 2003042900026350 encumbering the land situate in the County of Shelby, (Alabama), Described as follows:

Schedule A is attached

Property Address: 32 Southern Hills Parkway, Calera, AL 35040  
Tax Parcel ID No.: 28-3-05-0-001-028.002

**AND WHEREAS**, Gerald D. and Yolanda J. Banks, has made application to the Party of the Second Part for a loan ("MERS"), (solely as nominee for Lender as hereinafter defined, and Lender's successors and assigns). MERS is organized and existing under the laws of Delaware, and has an address of P.O. Box 2026, Flint, MI 48501-2026. **WATERMARK FINANCIAL PARTNERS INC.** hereinafter called party of the Second Part,) in the amount not to exceed (\$123,860.00), to be secured by a First Mortgage/Deed of Trust/Security Deed encumbering the above described premises, and Party of the Second Part has required as a condition precedent to making of said loan that the Party of the First Part subordinate its Mortgage/Deed of Trust/Security Deed and the lien thereof and all of its rights there under to the Mortgage/Deed of Trust/Security Deed to be placed upon said premises as aforesaid, and Party of the First Part is agreeable to such subordination.

**NOW THEREFORE**, in consideration of the sum of One Dollar (\$ 1.00), and other valuable consideration in hand paid by the Party of the Second Part to the Party of the First Part, receipt whereof is hereby acknowledged, and as inducement for making aforesaid loan by the Party of the Second Part to the aforesaid (Gerald D. and Yolanda J. Banks), the Party of the First Part does hereby subordinate the aforesaid mortgage by it and the lien thereof and all of its rights and there under to the Mortgage/Deed of Trust/Security Deed recorded in Official Records Book 2004120, at 8000671710 Page \_\_\_\_\_, of the Public Records of (Shelby, AL), encumbering the above described premises and does hereby covenant with the Party of the Second Part that it has not transferred as assigned the aforesaid Mortgage/Deed of Trust/Security Deed held by it, nor the Promissory Note it secures, nor any interest held by it in either of said instruments, and it executed this Subordination Agreement as tenants by entirety of the entire interest held by it in said Note and Mortgage/Deed of Trust/Security Deed and declare any right of claim held by it to be subject and inferior to the Mortgage/Deed of

Trust/Security Deed held by the Party of the Second Part and to all rights of the Party of the Second Part there under.

IN WITNESS WHEREOF, THE PARTY OF THE FIRST PART HAS HEREUNTO SET ITS HAND AND SEAL ON THE DAY AND YEAR FORST WRITTEN.

WITNESSES:

Kathy Brown

Kathy Brown

PRINT NAME

Kirk W. Owens

Kirk W. Owens  
Print Name

~~Citifinancial, Inc.~~  
Citifinancial mtg. Co., Inc.

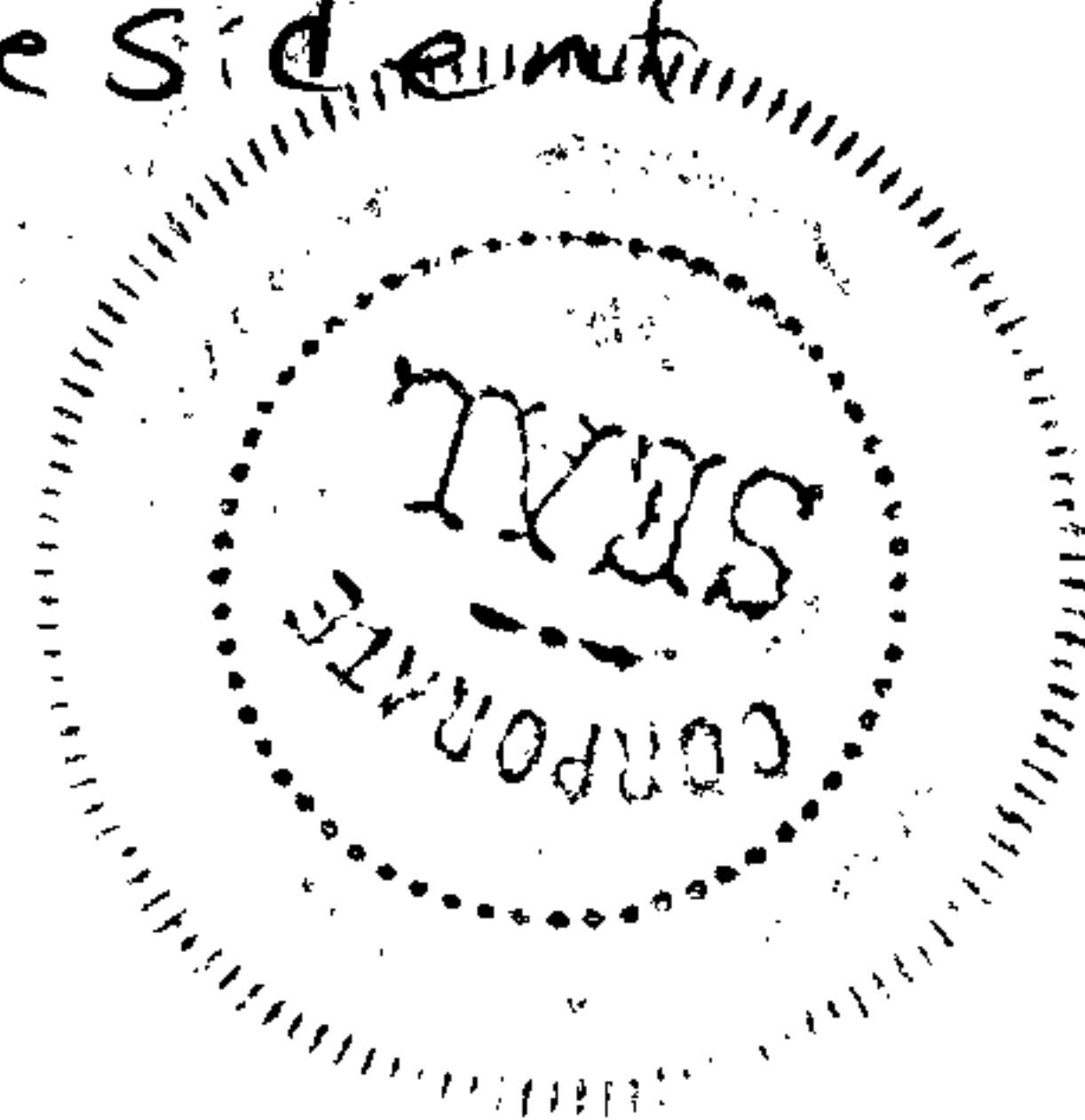
[Signature]

David M. Anderson

Vice President

STATE OF Texas

COUNTY OF Dallas



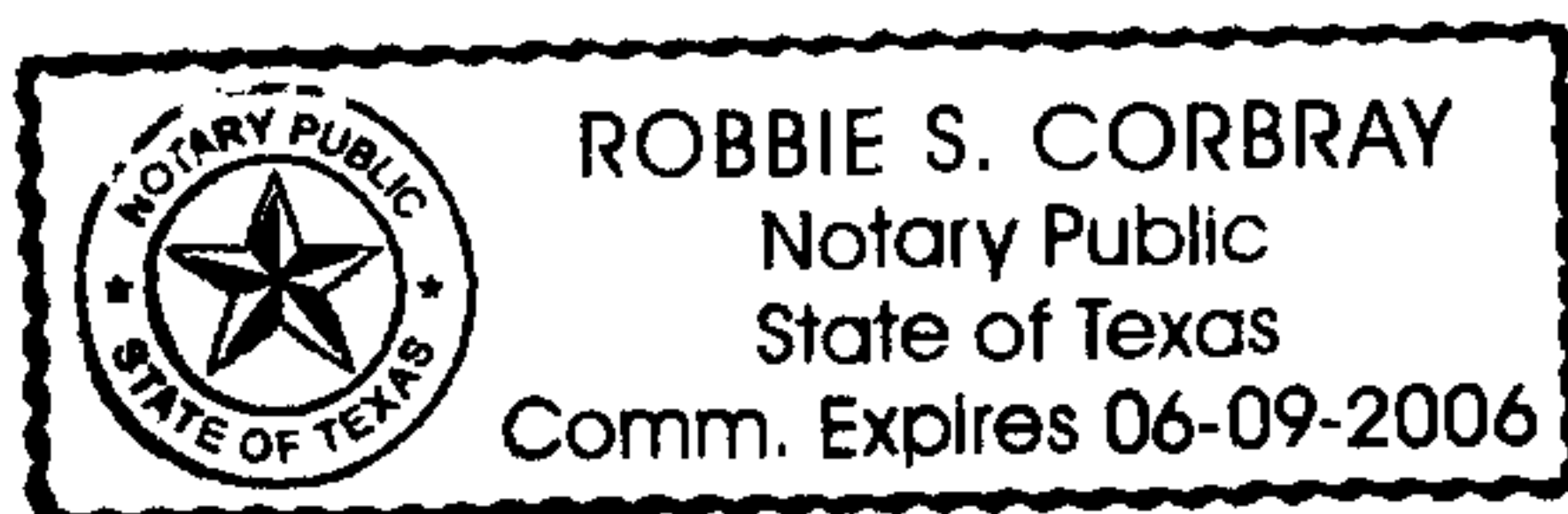
BEFORE ME, the undersigned authority, personally appeared David M. Anderson, who is the Vice President of (~~Citifinancial, Inc.~~), appearing on behalf of said corporation, who is known to me or has shown \_\_\_\_\_ as identification, who after being by me first duly sworn, deposes and says that he/she has the full binding authority so execute this Subordination Agreement and he / she subscribed his/her name thereto in certification thereof.

\*Citifinancial mtg. Co., Inc.

[Signature]  
Notary Public

My Commission Expires:

**ROBBIE S. CORBRAY**



**SCHEDULE "A"**

THE FOLLOWING DESCRIBED REAL ESTATE, SITUATED IN SHELBY COUNTY,  
ALABAMA, TO-WIT:

LOT 2, ACCORDING TO THE SURVEY OF SOUTHERN HILLS, SECTOR 2, AS  
RECORDED IN MAP BOOK 14, PAGE 49, IN THE PROBATE OFFICE OF SHELBY  
COUNTY, ALABAMA.

BEING THE SAME PROPERTY CONVEYED TO GERALD D. BANKS AND YOLANDA  
J. BANKS, MARRIED BY DEED FROM SHELBY RESOURCES, INC. RECORDED  
02/07/2001 IN DEED BOOK 2001 PAGE 4320, IN THE PROBATE JUDGE'S  
OFFICE FOR SHELBY COUNTY, ALABAMA.