

SUBORDINATION AGREEMENT

20050609000281230 1/1 \$11.00
Shelby Cnty Judge of Probate, AL
06/09/2005 10:08:01AM FILED/CERT

SIONALS

STATE OF ALABAMA
COUNTY OF SHELBY

3595 Grandview Pkwy, Ste 350
Birmingham, AL 35243

BHM 0503413

THAT, WHEREAS, WILLIAM GUY KREBS, IV AND SPOUSE, MELISSA JO KREBS, have an outstanding lien in favor of FIRST AMERICAN BANK FORMERLY KNOWN AS NATIONAL BANK OF COMMERCE OF BIRMINGHAM, dated the MARCH 15, 2002, recorded on APRIL 2, 2002, in the Probate Office of SHELBY COUNTY, Alabama, in Instrument Number 2002-15379 and AMENDMENT TO MORTGAGE RECORDED APRIL 29, 2005 in Instrument #20050429000205240, in the amount of \$57,000.00, that certain real estate described herein to secure an indebtedness of \$57,000.00, and said lien is in full force and effect, and,

WHEREAS, WILLIAM GUY KREBS, IV AND SPOUSE, MELISSA JO KREBS, have made an application to EQUIFIRST CORPORATION for a loan in the sum of \$208,000.00 and said EQUIFIRST CORPORATION is willing to make said loan to the said WILLIAM GUY KREBS, IV AND SPOUSE, MELISSA JO KREBS, provided he/she/they furnish it with a mortgage on the lands described in the aforesaid lien, and the said FIRST AMERICAN BANK FORMERLY KNOWN AS NATIONAL BANK OF COMMERCE OF BIRMINGHAM subordinate the above described lien and make the same second and subservient to the mortgage to EQUIFIRST CORPORATION, as recorded in INST.# and,

WHEREAS, the said FIRST AMERICAN BANK FORMERLY KNOWN AS NATIONAL BANK OF COMMERCE OF BIRMINGHAM is willing to subordinate its said lien and make the lien second and subservient to the mortgage of the said to EQUIFIRST CORPORATION as an inducement to it to make said loan.

IT IS FURTHER agreed that should default in the payments under the terms of the real estate mortgage to FIRST AMERICAN BANK FORMERLY KNOWN AS NATIONAL BANK OF COMMERCE OF BIRMINGHAM, the said Lender agrees to notify to EQUIFIRST CORPORATION of said default prior to taking legal action.

IN WITNESS WHEREOF, the said FIRST AMERICAN BANK FORMERLY KNOWN AS NATIONAL BANK OF COMMERCE OF BIRMINGHAM has caused its name to be hereunto signed on the 19 day of May, 2005.

FIRST AMERICAN BANK FORMERLY KNOWN AS
NATIONAL BANK OF COMMERCE OF BIRMINGHAM

BY: Phyllis Bakena
ITS: AVP

STATE OF ALABAMA
COUNTY OF Shelby

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Phyllis Bakena, whose name as AVP of FIRST AMERICAN BANK FORMERLY KNOWN AS NATIONAL BANK OF COMMERCE OF BIRMINGHAM, a corporation, is signed to the foregoing instrument, and who known to me, acknowledged before me on this day, that, being informed of the contents of the said instrument, she/he executed the same voluntarily for and as the act of said corporation.

[Signature]

Notary Public

My Commission expires

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: June 21, 2007
BONDED THROUGH NOTARY PUBLIC UNDERWRITERS

Prepared By:
STEWART & ASSOCIATES, P.C.
3595 GRANDVIEW PKWY, #345
BIRMINGHAM, ALABAMA 35243