



When recorded mail to: **1044619**  
Home Connects  
100 Lakeside Drive, Horsham, PA 19044

20050727000376500 1/3 \$18.00  
Shelby Cnty Judge of Probate, AL  
07/27/2005 10:56:55AM FILED/CERT

**ditech.com**

500 Enterprise Road  
Horsham, PA 19044  
ATTN: Michele Coley-Turner

**SUBORDINATION AGREEMENT**

**THIS SUBORDINATION AGREEMENT**, made June 7, 2005, present owner and holder of the Mortgage and Note first hereinafter described and hereinafter referred to as **GMAC Mortgage Corporation dba Ditech.com**.

**WITNESSETH:**

**THAT WHEREAS John R. Gates Stacie Gates**, residing at 5039 Applecross Road - Birmingham, AL. 35242, did execute a Mortgage dated 5/17/03 to **GMAC Mortgage Corporation dba Ditech.com** covering:

SEE ATTACHED

To Secure a Note in the sum of \$ 39,500.00 dated 5/17/03 in favor of **GMAC Mortgage Corporation dba Ditech.com**, which Mortgage was recorded 10/6/03 as Instrument NO: 20031006000671700.

**WHEREAS**, Owner has executed, or is about to execute, a Mortgage and Note in the sum of \$ ~~176,500~~ <sup>176,500</sup> dated 6-9-2005 in favor of **GMAC Mortgage Corporation dba Ditech.com**, here in after referred to as "Lender", payable with interest and upon the terms and conditions described therein, which mortgage is to be recorded concurrently herewith; and

**WHEREAS**, it is a condition precedent to obtaining said loan that Lender's mortgage last above mentioned shall unconditionally be and remain at all times a lien or charge upon the land herein before described, prior and superior to the lien or charge of **GMAC Mortgage Corporation dba Ditech.com** mortgage first above mentioned.

**NOW THEREFORE**, in consideration of the mutual benefits accruing to the parties hereto, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and in order to induce Lender to make the loan above referred to, it is hereby declared, understood and agreed as follows:



(1) That said mortgage securing said note in favor of Lender, shall unconditionally be and remain at all times a lien or charge on the property therein described, prior and superior to the lien or charge of **GMAC Mortgage Corporation DBA Ditech.com** mortgage first above mentioned, including any and all advances made or to be made under the note secured by **GMAC Mortgage Corporation DBA Ditech.com** mortgage first above mentioned.

(2) Nothing herein contained shall affect the validity or enforceability of **GMAC Mortgage Corporation DBA Ditech.com** mortgage and lien except for the subordination as aforesaid.

WITNESSED BY:

By: Tamika Scott  
Tamika Scott  
By: Ryan Lindsay  
Ryan Lindsay  
By: Tamika Scott  
Tamika Scott  
By: Ryan Lindsay  
Ryan Lindsay

**GMAC Mortgage Corporation DBA Ditech.com**

By: Mary McGrath  
Mary McGrath  
Title: Limited Signing Officer

Attest: Sean Flanagan  
Sean Flanagan  
Title: Limited Signing Officer



COMMONWEALTH OF PENNSYLVANIA

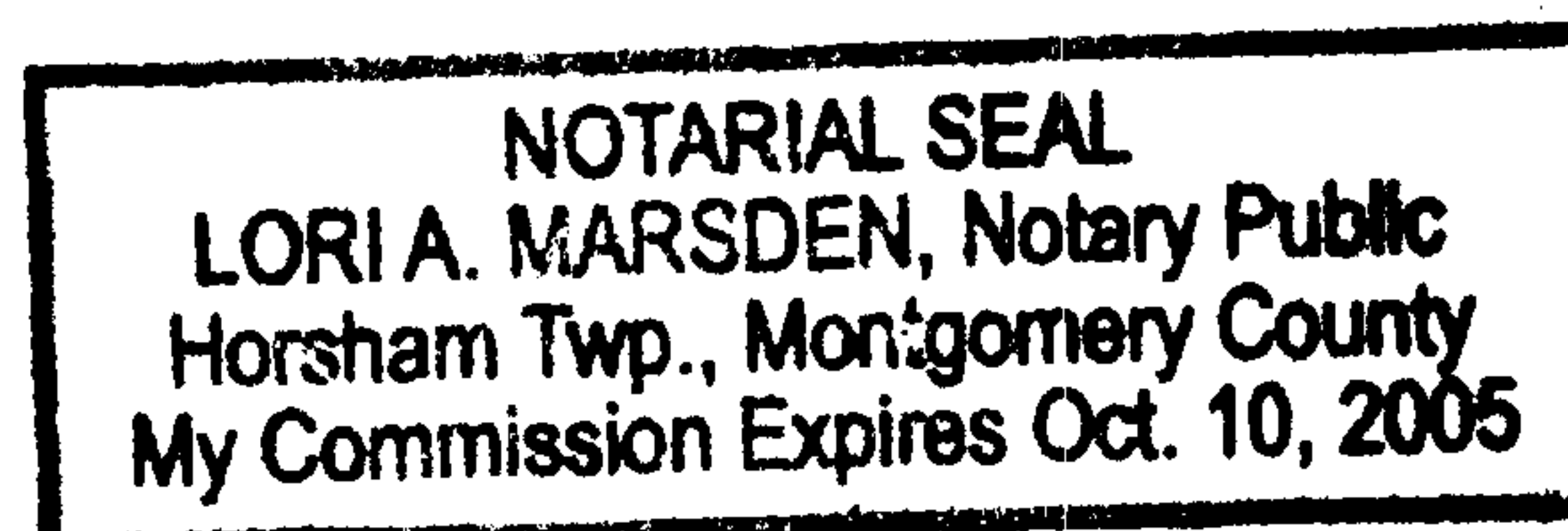
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COUNTY OF MONTGOMERY

On 6-8-05, before me **Lori A. Marsden**, the undersigned, a Notary Public in and for said County and State, personally appeared Mary McGrath personally known to me (or proved to me on the basis of satisfactory evidence) to be the Limited Signing Officer, and Sean Flanagan personally known to me (or proved to me on the basis of satisfactory evidence) to be the Limited Signing Officer of the Corporation that executed the within instrument, and known to me to be the persons who executed the within instrument on behalf of the corporation therein named, and acknowledged to me that such corporation executed the same, pursuant to its bylaws, or a resolution of its Board of Directors.

WITNESS my hand and official seal.

Lori A. Marsden  
Notary Public



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ORDER #: 4843753

**EXHIBIT A**

**ALL THAT PARCEL OF LAND IN CITY OF BIRMINGHAM, SHELBY COUNTY, STATE OF ALABAMA, AS MORE FULLY DESCRIBED IN DEED INST # 200206140002, INST # 82110, ID# 101010001027000, BEING KNOWN AND DESIGNATED AS LOT 2, BLOCK 4, ACCORDING TO THE SURVEY OF APPECROSS, A SUBDIVISION OF INVERNESS, AS RECORDED IN MAP BOOK 6, PAGE 42 A & B, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.**

**BY FEE SIMPLE DEED FROM JOHN R. GATES AND STACIE GATES, HUSBAND AND WIFE AS SET FORTH IN INST # 200206140002 INST # 82110 DATED 05/30/2002 AND RECORDED 06/14/2002, SHELBY COUNTY RECORDS, STATE OF ALABAMA.**

