

## SUBORDINATION AGREEMENT

Pursuant to the terms of the mortgage entered into by and between Jeffrey Allen Malone and Spouse, Frances R. Malone to First American Bank, formerly known as National Bank of Commerce of Birmingham on March 18, 2003 and recorded in Inst 20030408000212810 in the Probate Office of Shelby County, Alabama.  
First American Bank, formerly known as National Bank of Commerce of Birmingham does declare the lien of its mortgage dated March 18, 2003 and recorded in Inst 20030408000212810 in the Probate Office of Shelby County, Alabama to be second and subordinate to the lien of mortgage given by Amsouth Bank in the amount of Two Hundred Five Thousand Dollars and no/100---(\$205,000.00) executed on July 29, 2005 recorded in the Probate Office of Shelby County, Alabama.

Both mortgages are encumbering certain real property described as:

LOT 3320, ACCORDING TO THE SURVEY OF RIVERCHASE COUNTRY CLUB, 33<sup>RD</sup> ADDITION, AS RECORDED IN MAP BOOK 16, PAGE 112, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

IN WITNESS WHEREOF, this Subordination Agreement has been executed on this

29 of July, 2005.

Jeffrey Allen Malone by  
Frances R. Malone as  
attorney-in-fact for  
Jeffrey Allen Malone  
Frances R. Malone  
Frances R. Malone

FIRST AMERICAN BANK

BY: Leeta L. Barrett  
Its: Vice President



20050808000404460 2/2 \$14.00  
Shelby Cnty Judge of Probate, AL  
08/08/2005 01:33:31PM FILED/CERT

STATE OF ALABAMA )  
Jefferson COUNTY )

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Frances R. Malone whose name as attorney in fact for Jeffrey Allen Malone and Frances R. Malone whose names are signed to the foregoing instrument, and who are known to me, acknowledged before on this day that, being informed of the contents of said instrument, they executed the same voluntarily on the date the same bears date.

Given under my hand and official seal this 29<sup>th</sup> day of July, 2005.

Jennifer Nichole Pilgreen  
NOTARY PUBLIC

AFFIX SEAL

My Commission Expires: 4/01/09

STATE OF ALABAMA )  
Shelby COUNTY )

I, the undersigned authority, in and for said county in said state, hereby certify that Debra B Barroth whose name as Vice President of First American Bank, an Alabama Banking Corporation, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, as such officer, and with full authority, executed the same voluntarily for as the act of said banking association.

Given under my hand and official seal this 27 day of July, 2005.

Justina A. Spazian  
NOTARY PUBLIC

AFFIX SEAL

**NOTARY PUBLIC - STATE OF ALABAMA AT LARGE**  
**MY COMMISSION EXPIRES: Apr 14, 2009**  
**NOTARY PUBLIC - STATE OF ALABAMA AT LARGE**

My commission Expires: \_\_\_\_\_

THIS INSTRUMENT PREPARED BY:

Candice Edwards  
First American Bank  
P.O. Box 10686  
Birmingham, Alabama 35202-0686