PREPARED BY: Sunny Henderson, Richard McClelland - 300 Office Park Drive, Suite 230, Birmingham, AL 35223

### SUBORDINATION AGREEMENT

THIS AGREEMENT is made this August 25, 2005, between John H. Davis and wife, Margaret D. Davis of Shelby County, Alabama, and APCO Employees Credit Union of Birmingham, Alabama.

# Property Description

WHEREAS, John H. Davis and wife, Margaret D. Davis own all right, title and interest in real property described as follows:

LOT 29, ACCORDING TO THE SURVEY OF JAMESWOOD, SECOND SECTOR, AS RECORDED IN MAP BOOK 11, PAGE 108, IN THE PROBATE OFFIEC OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

#### Senior Lien

AND WHEREAS, APCO Employees Credit Union is the holder of a lien for \$100,000.00 on said property by virtue of that certain Mortgage Deed from John H. Davis and wife, Margaret D. Davis to APCO Employees Credit Union, filed for record July 14, 2003 in Instrument No. 20030714000441700, in the Probate Office of Shelby County, Alabama, which said lien is presently secured upon the said Premises, giving certain rights to APCO Employees Credit Union.

# Subsequent Mortgage

AND WHEREAS, a Mortgage was given by the said John H. Davis and wife, Margaret D. Davis to APCO Employees Credit Union for \$80,000.00, dated August 25, 2005 and intended to be forthwith recorded as aforesaid, which said Mortgage is secured on the Premises hereinabove described;

#### Intent to Subordinate

AND WHEREAS, it is the desire and intention of the parties hereto to subordinate the lien and operation of the lien first above-recited, for the full balance thereof, to the lien and operation of the Mortgage second above-recited, so that the said Mortgage second above-recited shall and will become a lien upon the said Premises and the lien first above-recited shall be subordinated thereto in every manner whatsoever;

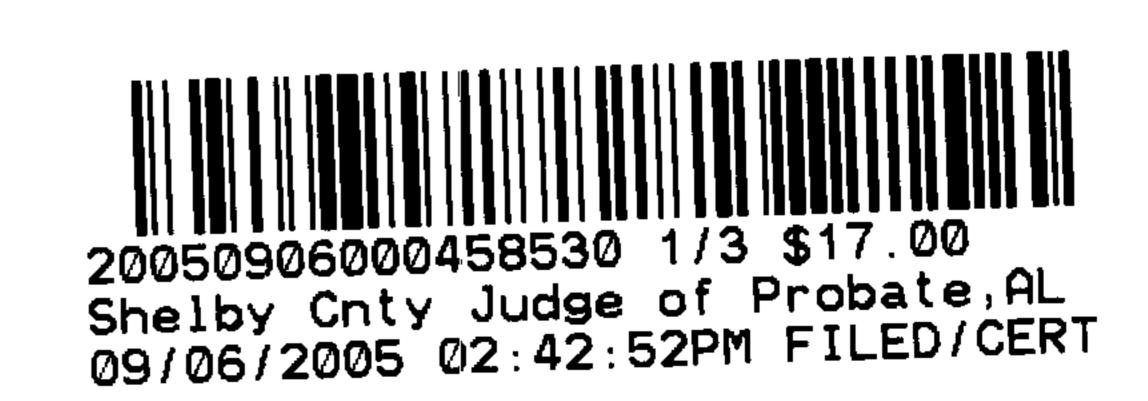
#### Consideration and Subordination

NOW WITNESS: That the parties hereto, intending to be legally bound hereby, in consideration of the Premises and of the advantages to be derived from these presents, as well in consideration of the sum of \$10.00 lawful money of the United States of America, each to the other well and truly paid at and before the sealing and delivery of these presents, receipt whereof is hereby acknowledged, agree that the said lien first above recited, secured upon the Premises as therein described shall be, and the same is by these presents, made junior in lien and subordinated to the lien and operation of the said Mortgage second above-recited to be given and executed by John H. Davis and wife, Margaret D. Davis to APCO Employees Credit Union as aforesaid, secured upon the Premises herein described.

#### Default

In the event of default under any of the terms or conditions of the said subordinated lien, resulting in foreclosure proceedings thereon, or on the accompanying note, such proceedings shall be especially advertised as being under and subject to the lien and payment of the said Mortgage given and executed by John H. Davis and wife, Margaret D. Davis to APCO Employees Credit Union ON August 25, 2005, in the principal sum of 80000.

THIS AGREEMENT shall be binding upon the parties hereto, their heirs, successors, and assigns.



JAN Brenze

25, 2005.	
WITNESS	SENIOR LIENHOLDER  APCO Employees Credit Union
	By: Woan Manager
WITNESS	SUBSEQUENT MORTGAGEE
	APCO Employees Credit Union
	By: //Luan Manager
WITNESS	MORTGAGORS
	John H. Davis
	Margaret D. Davis
ACKNOWLE	DGEMENTS
STATE OF Alabama COUNTY OF Jefferson	
I, the undersigned Notary Public, hereby certify name as Loan Manager of APCO Employees Conveyance, and who is known to me, acknowledged be of the foregoing conveyance, he/she, as such officer and	redit Union, a corporation, is signed to the foregoing fore me on this day that, being informed of the contents
Given under my hand this day of	, 2005.
My commission expires: 5-22-07	20050906000458530 2/3 \$17.00 Shelby Cnty Judge of Probate, AL 09/06/2005 02:42:52PM FILED/CERT
STATE OF ALABAMA COUNTY OF Jefferson	
I, the undersigned Notary Public, hereby conveyance, and who is known to me, acknowledged before the foregoing conveyance, he/she, as such officer and the date the same bears date.	ore me on this day that, being informed of the contents
Given under my hand this day of	, 2005
Amanda Marie Lipsin Notark Public My commission expires: 5-22 107	

IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed on August

# STATE OF ALABAMA COUNTY OF Jefferson

I, the undersigned Notary Public, hereby certify that John H. Davis and wife, Margaret D. Davis, whose name is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the foregoing conveyance, he/she/they has/have executed the same voluntarily on the date the same bears date.

Given under my hand on August 25, 2005.

Notary Public

My commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE MY COMMISSION EXPIRES: 7/14/08
BONDED THRU NOTARY PUBLIC UNDERWRITERS

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STATE OF AUBLIC ALABAMA, IN ALABAMA, IN

20050906000458530 3/3 \$17.00 Shelby Cnty Judge of Probate, AL 09/06/2005 02:42:52PM FILED/CERT

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