



20051024000551890 1/3 \$17.00  
Shelby Cnty Judge of Probate, AL  
10/24/2005 01:35:05PM FILED/CERT

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## SUBORDINATION AGREEMENT

Recording requested by: LSI  
When recorded return to:  
Custom Recording Solutions  
2550 N Red Hill Ave.  
Santa Ana, CA 92705  
800-756-3524 ext. 5011  
CRS #: 1516597

APN: 0 93070003015000

Subordination Agreement

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Customer Name: JOSEPH J CIZA & JERRIE CIZA  
Customer Account: 5299071100153568

THIS AGREEMENT is made and entered into on this 20 day of SEPTEMBER 2005, by AmSouth Bank (hereinafter referred to as "AmSouth") in favor of BANK OF AMERICA, N.A., its successors and assigns (hereinafter referred to as "Lender").

RECITALS

AmSouth loaned to JOSEPH J CIZA & JERRIE CIZA (the "Borrower", whether one or more) the sum of \$80,000.00. Such loan is evidenced by a note dated 08/16/2004, executed by Borrower in favor of AmSouth, which note is secured by a mortgage, deed of trust, security deed to secure debt, or other security agreement recorded 09/01/2004, in Record Book I#20040901000 at Page N/A, amended in Record Book N/A at Page N/A in the public records of SHELBY COUNTY, ALABAMA (the "AmSouth Mortgage"). Borrower has requested that lender lend to it the sum of \$127,357.00, which loan will be evidenced by a promissory note, and executed by Borrower in favor of Lender (the "Note"). The Note will be secured by a mortgage of the same date as the Note (the "Mortgage"). Lender and Borrower have requested that AmSouth execute this instrument.

AGREEMENT

In consideration of the premises and for other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, AmSouth agrees that the Mortgage shall be and remain at all times a lien or charge on the property covered by the Mortgage prior and superior to the lien or charge of AmSouth Bank to the extent the Mortgage secures the debt evidenced by the Note and any and all renewals and extensions thereof, or of any part thereof, and all interest payable on all of said debt and on any and all such renewals and extensions, and to the extent of advances made under the Note or the Mortgage necessary to preserve the rights or interest of Lender thereunder, but not to the extent of any other future advances. *By its acceptance of this agreement, the Borrower agrees to pay the Subordination Fee set out in the AmSouth Subordination Request Form.*

IN WITNESS WHEREOF, AmSouth has caused this instrument to be executed by its duly authorized officer on the day and date first set forth above.

State of Alabama  
Shelby County

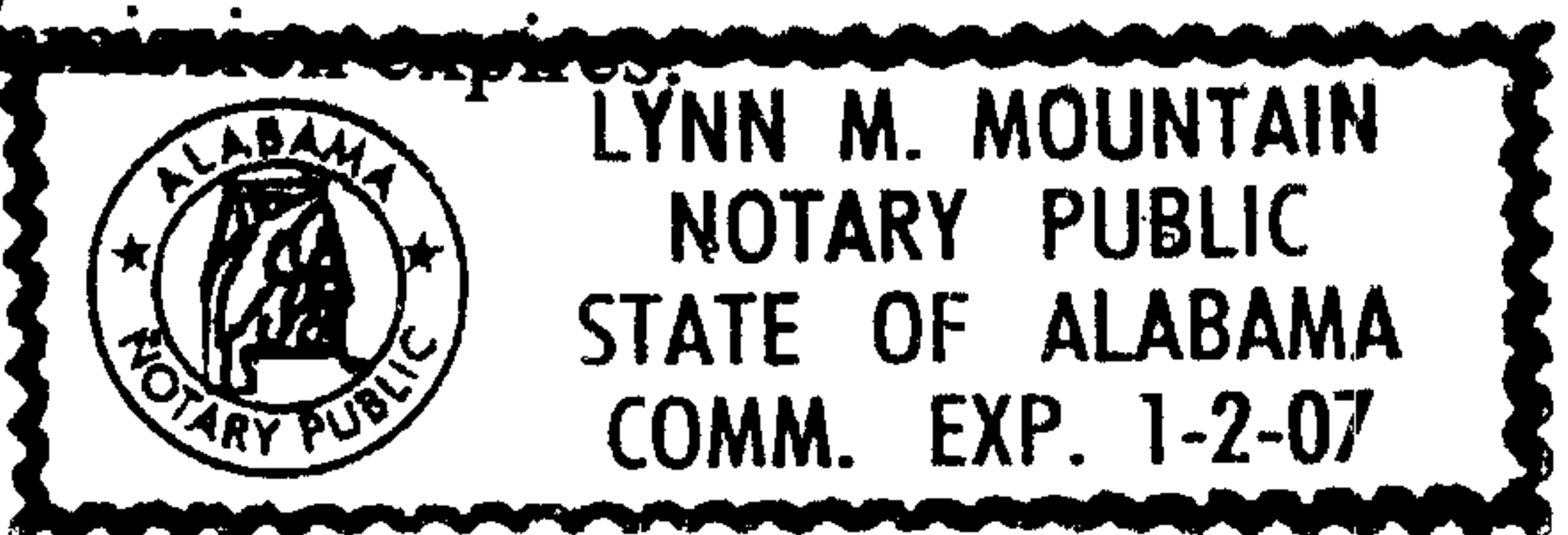
AMSOUTH BANK

By: *Barbara Roper*  
Its Vice President

*Barbara Roper*

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said County and State, on this the 20 day of SEPTEMBER 2005, within my jurisdiction, the within named *Barbara Roper* who acknowledged that he/she is *AVP* of AMSOUTH BANK, a banking corporation, and that for and on behalf of the said AmSouth Bank, and as its act and deed, he/she executed the above and foregoing instrument, after first having been duly authorized by AmSouth Bank so to do.

NOTARY MUST AFFIX SEAL  
This Instrument Prepared by:  
Christy Kahrig  
P.O. Box 830721  
Birmingham, AL 35283

Notary Public *Lynn M. Mountain*  
My commission expires  






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Order ID: 1516597

Loan No.: 6707177405

**EXHIBIT A**  
**LEGAL DESCRIPTION**

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

LOT 15 OF HEARTHWOOD SUBDIVISION AS RECORDED IN MAP BOOK 16, PAGE 27, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

BEING THE SAME PARCEL CONVEYED TO JOSEPH JOHN CIZA, III AND WIFE, JERRIE M. CIZA FROM BILL LANGSTON CONSTRUCTION, INC. A CORPORATION BY VIRTUE OF A DEED DATED JULY 06, 1993 RECORDED JULY 08, 1993 IN DEED DOCUMENT NO. 1993-20023 IN SHELBY COUNTY, ALABAMA

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