20060609000274520 1/2 $17.00
Shelby Cnty Judge of Probate, AL
06/09/2006 12:53:59PM FILED/CERT

THIS INSTRUMENT WAS PREPARED BY: MIKE T. ATCHISON, ATTORNEY AT LAW
P.O. BOX 822
COLUMBIANA, ALABAMA 35051

STATE OF ALABAMA
SHELBY COUNTY

GENERAL SUBORDINATION AGREEMENT

WHEREAS, BILLY THOMAS a/k/a WILLIE THOMAS, JR. (hereinafter referred to as the "Borrower, whether one or more) have executed the following described mortgages to FIRST UNITED SECURITY BANK, its successors and/or assigns, namely: that certain mortgage from BILLY THOMAS a/k/a WILLIE THOMAS, JR., to FIRST UNITED SECURITY BANK, dated October 28, 2005, recorded as Instrument #2005-57414, as amended by Mortgage Modification recorded as Instrument #2006-13961, for a loan in the total amount of $485,000.00, to be secured by a mortgage on the property described as follows:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION, WHICH IS INCORPORATED HEREIN BY REFERENCE.

WHEREAS, KERRY R. NIVENS, have a lien or other interest in said property, which would in the absence of this agreement be superior to the above recited mortgages executed by the Borrower to said FIRST UNITED SECURITY BANK, and

WHEREAS, said FIRST UNITED SECURITY BANK, desires the mortgages of KERRY R. NIVENS, to be subordinated to the mortgages of FIRST UNITED SECURITY BANK.

NOW THEREFORE, in consideration of the premises and other good and valuable considerations, the undersigned, KERRY R. NIVENS, do hereby agrees as follows:

KERRY R. NIVENS hereby subordinate to the above recited mortgages executed by the Borrower to FIRST UNITED SECURITY BANK, its successors and/or assigns, all right, title and interest of the undersigned in and to the above described property, situated in Shelby County, Alabama, to-wit:

All rights under that certain mortgage from BILLY THOMAS a/k/a WILLIE THOMAS, JR., to KERRY R. NIVENS, dated February 1, 2005, recorded as Instrument #2004-40541, as reassigned to Kerry R. Nivens, by Instrument #2005-57412, in the Probate Office of Shelby County, Alabama,

including, without limitation, any lien which the undersigned has on said property.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal, this 19 day of May, 2006.

KERRY R. NIVENS

STATE OF ALABAMA
SHELBY COUNTY

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that KERRY R. NIVENS, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, they executed the same voluntarily on the date the same bears date.

Given under my official hand and seal, this 19th day of May, 2006.

Notary Public

My commission expires:

LISA BEASLEY
Notary Public, AL State at Large
My Comm. Expires May 25, 2008

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EXHIBIT "A"
LEGAL DESCRIPTION

Commence at the NE corner of the SW ¼ of the SW ¼ of Section 27, Township 19 South, Range 1 West; thence run South along the East line thereof for 179.87 feet; thence 90 degrees 00 minutes right run westerly 888.05 feet to the westerly R/W of C.S.X. Railroad; thence 40 degrees 18 minutes 24 seconds right run northwesterly along said R/W for 502.80 feet to the southerly R/W of Old U.S. Highway 280; thence 69 degrees 31 minutes 50 seconds left run westerly along last said R/W for 52.36 feet to a curve to the right (having a radius of 518.36 feet and a central angle of 12 degrees 04 minutes 11 seconds); thence run along said curve and R/W for 109.19 feet; thence 118 degrees 26 minutes 53 seconds left from tangent of said curve run southeasterly 269.80 feet; thence 109 degrees 49 minutes 56 seconds right for 111.50 feet to the point of beginning; thence 94 degrees 53 minutes 25 seconds left run southeasterly 270.66 feet to the centerline of a branch; thence 94 degree 14 minutes 22 seconds right run westerly along said branch for 60.01 feet; thence South 32 degrees 09 minutes 16 seconds West along said creek a distance of 184.88 feet; thence South 35 degrees 27 minutes 36 seconds West along said creek a distance of 143.16 feet; thence South 80 degrees 48 minutes 33 seconds West along said creek a distance of 101.70 feet; thence North 87 degrees 08 minutes 48 seconds West along said creek a distance of 302.35 feet; thence South 54 degrees 36 minutes 10 seconds West along said creek a distance of 112.06 feet; thence North 00 degrees 00 minutes 00 seconds East and leaving said creek a distance of 408.67 feet; thence South 90 degrees 00 minutes 00 seconds East a distance of 246.09 feet; thence North 05 degrees 18 minutes 30 seconds East a distance of 409.56 feet to the southerly ri8ght of way of Old Highway 280 and a point on a curve to the left having a central angle of 36 degrees 02 minutes 08 seconds and a radius of 518.34 feet said curve subtended by a chord bearing North 78 degrees 46 minutes 34 seconds East and a chord distance of 320.65 feet; thence along the arc of said curve and along said right of way a distance of 138.19 feet to a point; thence turn an angle of 90 degrees 11 minutes 16 seconds to the right from the tangent of said curve and leaving said right of way line, run in a southerly direction a distance of 284.58 feet to a point; thence turn an angle of 107 degrees 29 minutes 37 seconds to the left and run northeasterly a distance of 142.12 feet to the point of beginning.