

20070123000036220 1/2 \$14.00
Shelby Cnty Judge of Probate, AL
01/23/2007 03:36:43PM FILED/CERT

This Instrument Prepared By:
Todd H. Barksdale, P. C.
6 Office Park Circle, Ste 314
Birmingham, Alabama 35223

MODIFICATION AGREEMENT AND SUBORDINATION AGREEMENT

Customer Name: Lynn Muggeo

THIS AGREEMENT is made and entered into on this 15th day of November, 2006, by Wachovia Bank, NA (hereinafter referred to as "Wachovia Bank, NA" and/or "SouthTrust Mortgage Corp.") in favor of Henger Rast & Associates, LLC, its successors and or assigns (hereinafter referred to as "Lender").

RECITAL

SouthTrust Mortgage Corp. loaned to Lynn Muggeo (the "Borrower", whether one or more) the sum of \$77,100.00. Such loan is evidenced by a note dated September 20, 2004, executed by Borrower in favor of SouthTrust Mortgage Corp., which note is secured by a mortgage, deed of trust, security deed to secure a debt, or other security agreement recorded on September 20, 2004, in Record Book Inst. #20040920000516930, in the public records of Shelby County, Alabama. Borrower has requested that Henger Rast & Associates, LLC ("Lender") lend to it the sum of \$340,000.00, which loan will be evidenced by a promissory note in such amount dated, 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 Wachovia Bank, NA execute this instrument.
* by property owners, Lynn Muggeo and Anthony Muggeo.



AGREEMENT TO REDUCE CREDIT LIMIT

If this box is checked, the Subordinating Lender's and (if any) the Trustee's agreement to subordinate the lien of the Existing Security Instrument is conditioned on a reduction of the maximum credit limit on Borrower(s)' revolving line of credit account to a maximum at any one time of \$42,500. By signing this Agreement below, each Borrower who signed the credit agreement for the account agrees to this permanent change in the line of credit.

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

ATTEST:

Belinda Pierce

BELINDA PIERCE

(Corporate Seal)

ASSISTANT SECRETARY

ATTEST:

Belinda Pierce

BELINDA PIERCE

(Corporate Seal)

ASSISTANT SECRETARY

BORROWER(s):

(witness)

(witness)

SUBORDINATING LENDER: Wachovia Bank, N.A., from merger with SouthTrust

By:

Susan Ellis
Susan Ellis, Assistant Vice President

TRUSTEE: (If applicable state)

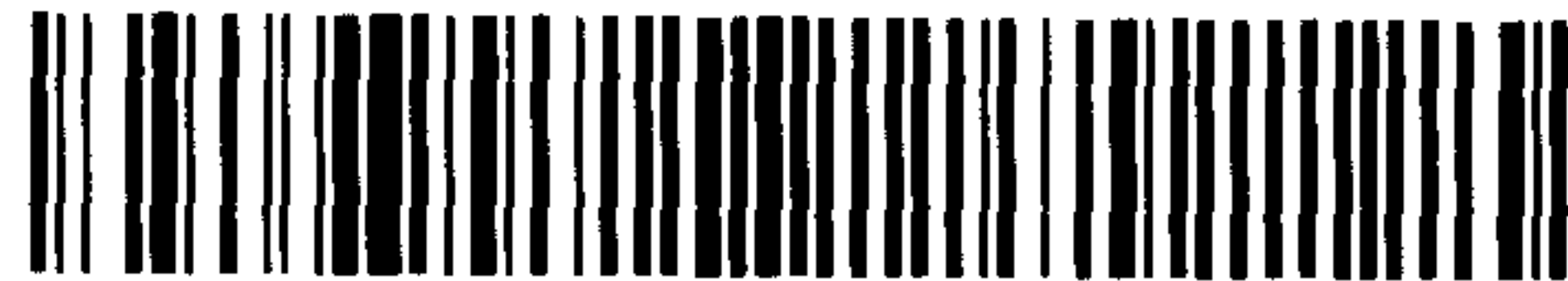
By:

Susan Ellis
Susan Ellis, Assistant Vice President

Lynn Muggeo

Anthony Muggeo

T. Barksdale



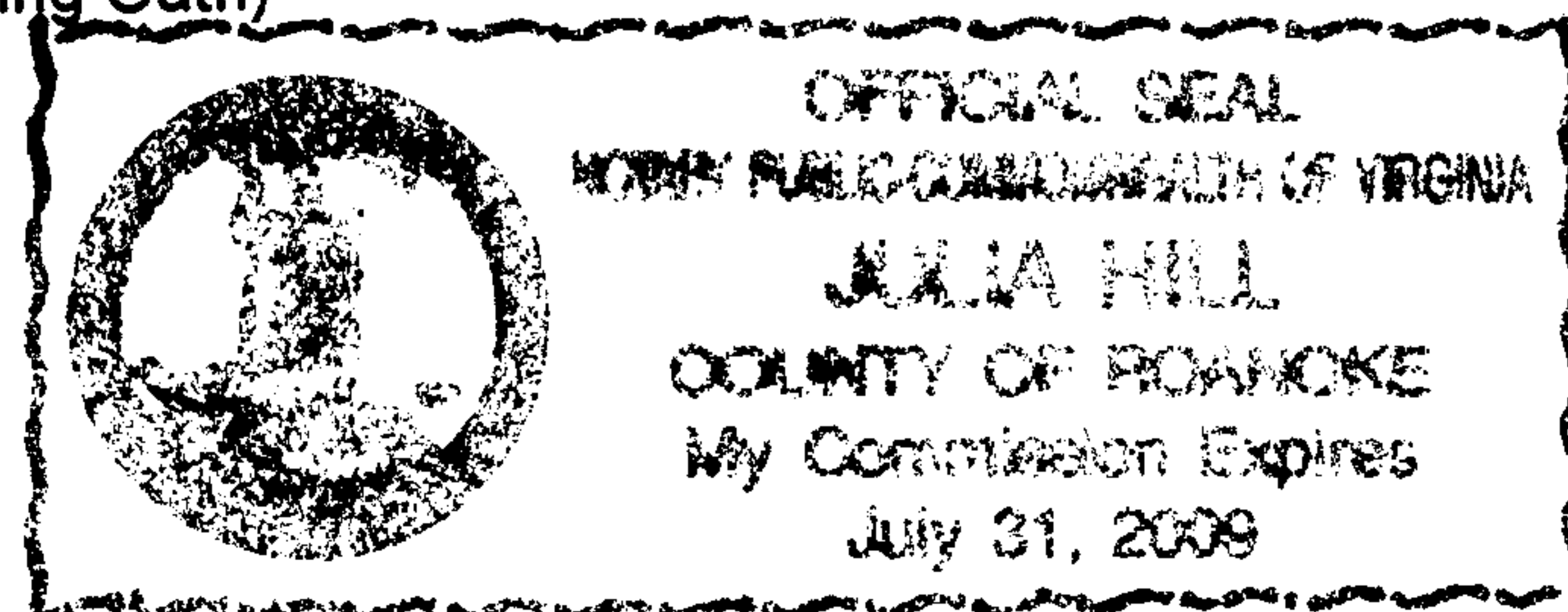
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SUBORDINATING LENDER'S ACKNOWLEDGEMENT

STATE OF Virginia
COUNTY OF Roanoke

The foregoing Subordination Agreement was acknowledged before me, a notary public or other official qualified to administer oaths this 21 day of December, 2006, by Simon Ellis, as Asst Vice President of the Subordinating Lender named above, on behalf of said Subordinating Lender pursuant to authority granted by its board of directors or other governing body. S/he is personally known to me or has produced satisfactory proof of his/her identity.

Julia Hill / Julia Hill (signature of person administering Oath)
printed name: /title:
(If Applicable) My Commission Expires: 7-31-09



BORROWERS' ACKNOWLEDGEMENT

STATE OF _____
COUNTY OF _____

The foregoing Subordination Agreement was acknowledged before me, a notary public or other official qualified to administer oaths this _____ day of _____, 2006, by _____, the Borrower(s) named above. She/he/they is/are personally known to me or has produced satisfactory proof of his/her identity.

(signature of person administering Oath)
printed name: /title:
(If Applicable) My Commission Expires: _____

TRUSTEE'S ACKNOWLEDGEMENT

STATE OF VA
COUNTY OF Roanoke

The foregoing Subordination Agreement was acknowledged before me, a notary public or other official qualified to administer oaths this 21 day of Dec 2006, by Simon Ellis, as Asst Vice President of the Trustee named above, on behalf of said Trustee pursuant to authority granted by Trustee's board of directors or other governing body. S/he is personally known to me or has produced satisfactory proof of his/her identity.

Julia Hill / Julia Hill (signature of person administering Oath)
printed name: /title:
(If Applicable) My Commission Expires: 7-31-09

