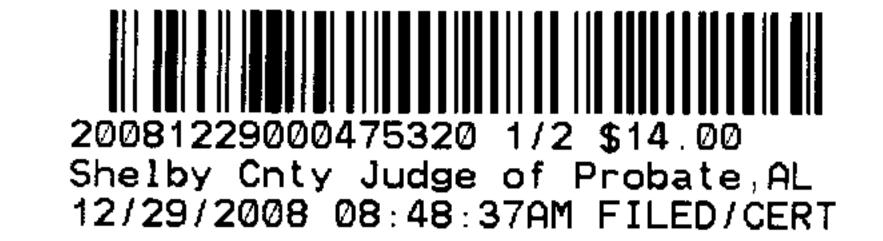
MC-1709



THIS INSTRUMENT PREPARED BY: R. Shan Paden, Attorney at Law Five Riverchase Ridge, Suite 100 Birmingham, Alabama 35244-2893

SUBORDINATION AGREEMENT

STATE OF ALABAMA COUNTY OF SHELBY

This Subordination Agreement, made and entered into on this the day of December, 2008, by and between RBC BANK, FORMERLY KNOWN AS FIRST AMERICAN BANK, as Party of the First Part, and RBC BANK, as Party of the Second Part.

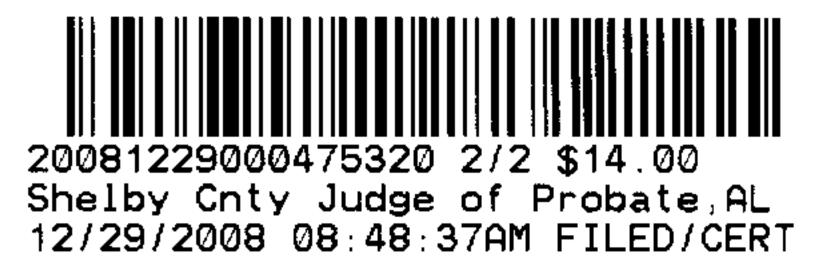
WITNESSETH

THAT, WHEREAS, MICHAEL W. EVANS AND MELINDA EVANS, has an outstanding loan in favor of RBC BANK, FORMERLY KNOWN AS FIRST AMERICAN BANK, as set forth in 20061101000538020, in the Office of the Judge of Probate of SHELBY County, Alabama on that certain real estate located at 912 Riverchase Parkway West, Hoover, AL 35244 to secure an indebtedness of \$110,000.00 and said lien is in full force and effect; and,

WHEREAS, MICHAEL W. EVANS AND MELINDA EVANS, has made an application to the Party of the Second Part for a loan in the sum of \$126,000.00 and said Party of the Second Part is willing to make said loan to the said MICHAEL W. EVANS AND MELINDA EVANS, provided it furnish the party of the Second Part with a mortgage on the lands described in the aforesaid lien, and the said RBC BANK, FORMERLY KNOWN AS FIRST AMERICAN BANK, subordinate the above described lien and make the same second and subservient to the mortgage of RBC BANK; and,

WHEREAS, the said Party of the First Part is willing to subordinate its said lien and make it second and subservient to the mortgage of the said Part of the Second Part as an inducement to it to make said loan.

NOW, THEREFORE, in consideration of the premises, the said Party of the First Part does hereby agree that the lien of MICHAEL W. EVANS AND MELINDA EVANS, to RBC BANK, FORMERLY KNOWN AS FIRST AMERICAN BANK, recorded in the Probate Office of SHELBY County, Alabama in INSTRUMENT 20061101000538020, shall be second and subservient to the mortgage of MICHAEL W. EVANS AND MELINDA EVANS, to RBC BANK and recorded in the Probate Office of SHELBY County, Alabama, in INSTRUMENT # 20081239000 415316, to secure the sum of \$126,000.00, plus interest, on the land described therein, and the said lien of the said RBC BANK, FORMERLY KNOWN AS FIRST AMERICAN BANK, shall be subordinate to the mortgage of RBC BANK



IT IS FURTHER agreed that should MICHAEL W. EVANS AND MELINDA EVANS, default in his/her/their payments under the terms of the real estate mortgage to FIRST AMERICAN BANK, the said FIRST AMERICAN BANK, agrees to notify RBC BANK of said default prior to taking legal action.

RBC BANK,
FORMERLY KNOWN AS FIRST AMERICAN BANK

As Its: Vice President

STATE OF ALABAMA
COUNTY OF Shelby

the undersigned, a Notary Public in and for said State and County, hereby certify that of RBC BANK, FORMERLY KNOWN AS FIRST AMERICAN BANK, is signed to the foregoing subordination agreement, and who is known to me, acknowledged before me on this day, that, being informed of the contents of this subordination agreement and with full authority as such officer, executed the same voluntarily.

Given under my hand and seal this May of December, 2008.

Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE MY COMMISSION EXPIRES: June 5, 2011 BONDED THRU NOTARY PUBLIC UNDERWRITERS

My commission expires: __