

FD-17049

20081229000475320 1/2 \$14.00
Shelby Cnty Judge of Probate, AL
12/29/2008 08:48:37AM FILED/CERT

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 16th 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 # 20081229000475310, 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



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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.

IN WITNESS WHEREOF, Debra Parrott, as
Vice President of said RBC BANK, FORMERLY KNOWN AS
FIRST AMERICAN BANK has caused her/his name to be hereunto signed on this the 16th
day of December, 2008.

**RBC BANK,
FORMERLY KNOWN AS FIRST AMERICAN BANK**

BY: Debra Parrott

As Its: Vice President

**STATE OF ALABAMA
COUNTY OF Shelby**

I, the undersigned, a Notary Public in and for said State and County, hereby certify that
Debra Parrott, whose name as Vice President
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 16th day of December, 2008.

Cynthia B. Belk
Notary Public

My commission expires: _____

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