

UPON RECORDING PLEASE RETURN TO:

Red Mountain Bank
Attn: Dana Ballentine
P.O. Box 381748
Birmingham, Alabama 35238

20090128000027730 1/1 \$11.00
Shelby Cnty Judge of Probate, AL
01/28/2009 02:09:59PM FILED/CERT

Subordinate Agreement

This Subordination of Mortgage is executed this **20th** day of **January, 2009** by **Red Mountain Bank**.

Witnesseth

WHEREAS, **Red Mountain Bank** is the owner and holder of that certain mortgage in the amount of **One Hundred Twenty Five Thousand Fifty-Nine Dollars and 00/100 (\$125,000.00)** from **David M. Sanders** recorded on **August 11, 2006** in **Instrument Number 20060811000390520** in the Probate Office of **Shelby County, Alabama**, said property being more particularly described as follows:

Lot 4AA, according to the Survey of the Amended Map of Stapleton Resurvey, as recorded in Map Book 24, page 132, in the Probate Office of Shelby County, Alabama.

WHEREAS, **Regions Bank d/b/a Regions Mortgage** has made a mortgage loan in the amount of **Three Hundred Ninety-Five Thousand Dollars (\$395,000.00)** to **David M. Sanders** recorded on 1/28/2009 in Instrument Number 20090128000027720 in the Probate Office of **Shelby County, Alabama**, said loan secured by a mortgage which encumbers the above described real property.

WHEREAS, **Regions Bank d/b/a Regions Mortgage** as a condition for making a first mortgage loan requires **Red Mountain Bank** to subordinate the lien of its mortgage to the lien of **Regions Bank d/b/a Regions Mortgage** and **Red Mountain Bank** has agreed to do so.

NOW THEREFORE, for and in consideration of the premises hereof and of mutual advantages and benefits accruing to the parties hereto, **Red Mountain Bank** does hereby covenant, consent and agree to and with **Regions Bank d/b/a Regions Mortgage** that the lien of **Red Mountain Bank** shall be and the same is hereby made subordinate, inferior and subject in every respect to the lien of **Regions Bank d/b/a Regions Mortgage**, which encumbers the above described property provided, however, that the subordination is limited to the amount of **One Hundred Twenty- Five Thousand Dollars (\$125,000.00)**.

IN WITNESS WHEREOF, this agreement is executed the day and year first written above.

Signed, sealed and delivered in the presence of:

RED MOUNTAIN BANK

Carleton Ambrose
Carleton Ambrose – Vice President

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Carleton Ambrose** whose name as **Vice President of Red Mountain Bank**, is signed to the foregoing instrument, and who is know to me, acknowledged before me on this day, that being informed of the content of said instrument, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this **20th** day of **January, 2009**.

Notary Public:

Belinda Clay Rovi
Belinda Clay Rovi
My Commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Sept 15, 2012
BONDED THRU NOTARY PUBLIC UNDERWRITERS