

## SUBORDINATION AGREEMENT

This Subordination Agreement, made the 15<sup>th</sup> day of January 15, 2009 between ARK-LA-TWX FINANCIAL SERVICES, LLC DBA BENCHMARK MORTGAGE ("Requestor"), and Mutual Savings Credit Union("Lender")

Witnesseth:

Whereas, the Lender now owns and holds the following mortgages and the Bond or Note secured thereby Mortgage Dated: MAY 25, 2006 made by: PATRICK A. THOMPSON AND SPOUSE ROBBIE LEE THOMPSON to MUTUAL SAVINGS CREDIT UNION, in the principal sum of \$29,000.00 and recorded JUNE 13, 2006 in Instrument # 20060613000279690 in the Office of the Shelby County Judge of Probate, Shelby County, Alabama covering legal description:

**LOT 158, ACCORDING TO THE SURVEY OF WEATHERLY SECTOR 2, PHASE 2, AS RECORDED IN MAP BOOK 14, PAGE 73 A, B & C, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.**

with a property address of: **160 Weatherly Way, Pelham, AL 35124** particularly described therein ("The Premises") and,

Whereas, the Borrowers mentioned executed and delivered to REQUESTER a mortgage to secure a principal sum not to exceed \$335,000.00 dollars and interest, covering the Premises and

Whereas, REQUESTER accepted said mortgage believing the mortgages held by Mutual Savings Credit Union would be subordinated in the Manner hereinafter mentioned;

Now therefore, in consideration of \$1.00 and other good and valuable consideration paid to Mutual Savings Credit Union receipt of which is hereby acknowledge, the Lender hereby covenants and agrees with REQUESTER that said mortgages held by Mutual Savings Credit Union shall be subject and subordinate in lien to the lien of a Mortgage not to exceed \$335,000.00 dollars and the interest thereon delivered to REQUESTER.

This agreement may not be changed or terminated orally. This Agreement shall bind and endure to the benefit of the parties hereto, their respective heirs, representatives, successors and assigns.

The Lender has duly executed this Agreement on January 15, 2009.

MUTUAL SAVINGS CREDIT UNION

JEFF GRAHAM, DIRECTOR LENDING SERVICE

STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said county, in said State, hereby certify that, Samuel Clements, whose name as Senior Vice President of Mutual Savings Credit Union, a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, on January 15, 2009.

Notary Public

My Commission Expires:

THIS INSTRUMENT WAS PREPARED BY: LINDA REINHARDSEN  
MUTUAL SAVINGS CREDIT UNION  
P.O. BOX 362045  
HOOVER, AL 35236-2045

