

UPON RECORDING PLEASE RETURN TO:

Red Mountain Bank
Attn: Matthew Head
P.O. Box 381748
Birmingham, Alabama 35238

20090303000075640 1/1 \$11.00
Shelby Cnty Judge of Probate, AL
03/03/2009 11:48:29AM FILED/CERT

Subordinate Agreement

This Subordination of Mortgage is executed this 19th day of February,
2009 by **Red Mountain Bank**.

Witnesseth

WHEREAS, **Red Mountain Bank** is the owner and holder of that certain mortgage in the amount of **Sixty Thousand Dollars (\$60,000.00)** from **Brian G and Catherine E Stauss** recorded on **September 12, 2006** in Instrument number 20060912000451780 in the Probate Office of **Shelby County, Alabama**, said property being more particularly described as follows:

Lot 22, according to the Survey of Cahaba Oaks, as recorded in Map Book 18, page 141, in the Probate Office of Shelby County, Alabama.

WHEREAS, **Aliant Bank, it's Successors and/or Assigns as their interest may appear** has made a mortgage loan in the amount of **Two Hundred Sixty Three Thousand Dollars (\$263,000.00)** to **Brian G and Catherine E Stauss** on 3/3/2009 in Instrument Number 20090303000075630, in the Probate Office of **Shelby County, Alabama**, said loan secured by a mortgage which encumbers the above described real property.

WHEREAS, **Aliant Bank, its Successors and/or Assigns as their interest may appear** as a condition for making a first mortgage loan requires **Red Mountain Bank** to subordinate the lien of its mortgage to the lien of **Aliant Bank, its Successors and/or Assigns as their interest may appear** 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 **Aliant Bank, its Successors and/or Assigns as their interest may appear** 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 **Aliant Bank, its Successors and/or Assigns as their interest may appear**, which encumbers the above described property provided, however, that the subordination is limited to the amount of **Two Hundred Sixty Three Thousand Dollars (\$263,000.00)**.

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

Signed, sealed and delivered in the presence of:

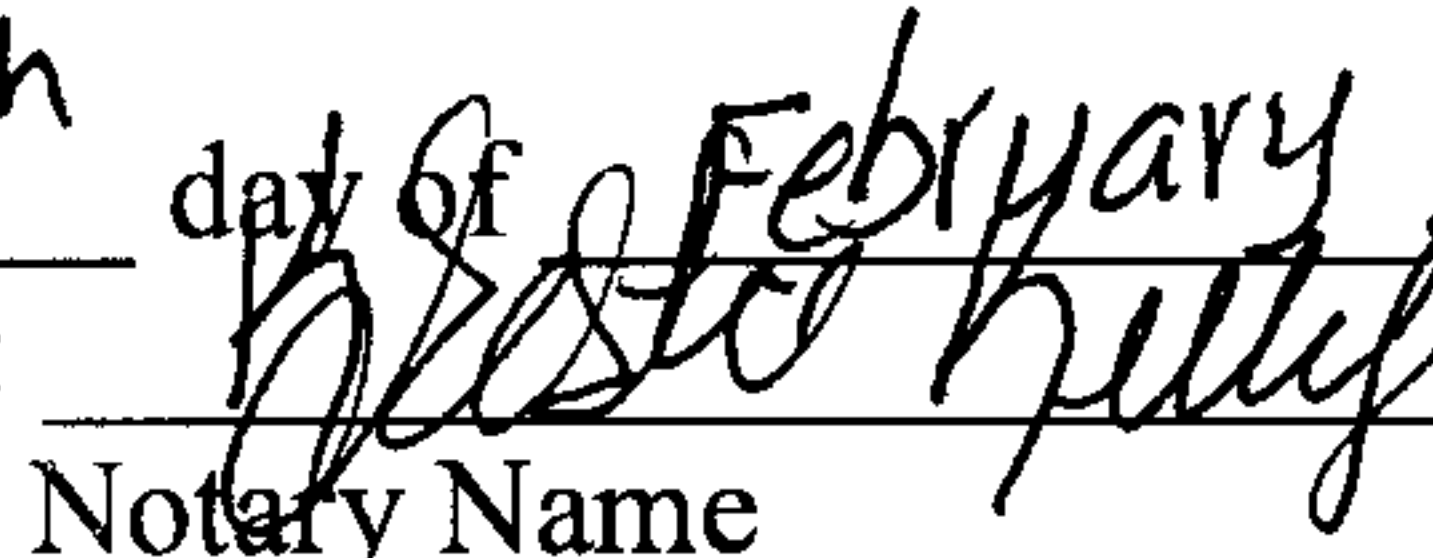
RED MOUNTAIN BANK


Gloria S. Donworth, Vice President

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Gloria S. Donworth** whose name as **Vice President of Red Mountain Bank**, is signed to the foregoing instrument, and who is known 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 19th day of February, 2009.

Notary Public: 

Notary Name

My Commission expires:

