

## SUBORDINATION AGREEMENT

This Subordination of Mortgage is executed this 6<sup>th</sup> day of February, 2009 by Wachovia Bank, National Association FKA SouthTrust Bank of Alabama, N.A.

### WITNESSETH

WHEREAS, Wachovia Bank, National Association is the owner and holder of that certain mortgage from JACK F. SHAW and ALLISON A. SHAW recorded in INSTRUMENT #20040722000408800 in the Probate Office of Jefferson, Alabama, said property being more particularly described as follows: (THE SUM OF \$50,000.00)

### SEE ATTACHED EXHIBIT "A"

WHEREAS, WELLS FARGO BANK, N.A. is making a mortgage loan to JACK F. SHAW and ALLISON A. SHAW in the amount of Two Hundred Thousand One and 00/100 Dollars (\$200,001.00) said loan secured by a mortgage which encumbers the above described real property. 20090305000081710

WHEREAS, WELLS FARGO BANK, N.A. as a condition for making a 1st mortgage loan requires Wachovia Bank, National Association to subordinate the lien of its mortgage to the lien of WELLS FARGO BANK, N.A. and WACHOVIA BANK, NATIONAL ASSOCIATION 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 and in further consideration of the sum of One Hundred and 00/100 Dollars (\$100.00) in hand paid by WELLS FARGO BANK, N.A. to WACHOVIA BANK, NATIONAL ASSOCIATION, the receipt and sufficiency of which is hereby acknowledged, WACHOVIA BANK, NATIONAL ASSOCIATION does hereby covenant, consent and agree to and with WELLS FARGO BANK, N.A. that the lien of WACHOVIA BANK, NATIONAL ASSOCIATION shall be and the same is hereby made subordinate, inferior and subject in every respect to the lien of WELLS FARGO BANK, N.A. which encumbers the above described property.

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

Signed, sealed and delivered in the presence of:

WACHOVIA BANK, NATIONAL ASSOCIATION

By: Deane Thurman  
Its: Deane Thurman  
ASST. Vice President

STATE OF Virginia )  
Roanoke COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Deane Thurman whose name as AVP of Wachovia Bank, National Association., 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 6 day of February ~~January~~, 2009.

Brenda S. Farrell  
Notary Public:  
My commission expires: \_\_\_\_\_



Embossed Hereon is My Commonwealth of VA  
Notary Public Seal - County of Roanoke  
My commission expires 8/31/2010  
Brenda S. Farrell ID #270381

**EXHIBIT A**  
**LEGAL DESCRIPTION**

  
20090305000081710 2/2 \$14.00  
Shelby Cnty Judge of Probate, AL  
03/05/2009 03:54:49PM FILED/CERT

**THE WEST 1/2 OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 AND THE NORTH 1/2 OF NORTHEAST 1/4 OF SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA.**

**ALSO, A TWENTY FOOT (20) WIDE EASEMENT DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 20 SOUTH, RANGE 2 WEST, SHELBY COUNTY, ALABAMA, AND RUN THENCE WESTERLY ALONG THE SOUTH LINE OF SAID 1/4-1/4 SECTION A DISTANCE OF 182.55 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF A PAVED SHELBY COUNTY PUBLIC ROAD AND THE POINT OF BEGINNING OF THE EASEMENT BEING DESCRIBED; THENCE CONTINUE ALONG LAST DESCRIBED COURSE A DISTANCE OF 1,159.53 FEET TO A POINT TWENTY FEET (20) WEST OF THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 12 AND ON THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAME SAID SECTION 12; THENCE TURN A DEFLECTION ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS RIGHT AND RUN NORTHERLY A DISTANCE OF 20.00 FEET TO A POINT; THENCE TURN A DEFLECTION ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS RIGHT AND RUN EASTERLY PARALLEL WITH THE SAID SOUTH LINE OF SAID NORTHWEST 1/4 OF THE SOUTHWEST 1/4 AND THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 12 A DISTANCE OF 1,140.54 FEET TO A POINT ON THE SAME SAID WESTERLY RIGHT OF WAY LINE OF SAME SAID SHELBY COUNTY PUBLIC ROAD; THENCE TURN A DEFLECTION ANGLE A DISTANCE OF 46 DEGREES 28 MINUTES 31 SECONDS RIGHT AND RUN SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE OF SAID PUBLIC ROAD A DISTANCE OF 27.58 FEET TO THE POINT OF BEGINNING; BEING SITUATED IN SHELBY COUNTY, ALABAMA.**