

SUBORDINATION AGREEMENT

THIS AGREEMENT is made this , between Robert P. Sbrissa and Monica Sbrissa of Shelby County, Alabama, and Wells Fargo Bank, NA #708 of Frederick, Alabama.

Property Description

WHEREAS, Robert P. Sbrissa and Monica Sbrissa own all right, title and interest in real property described as follows:

LOT 612A, ACCORDING TO A RESURVEY OF LOTS 611 AND 612, GREYSTONE LEGACY, 6TH SECTOR AS RECORDED IN MAP BOOK 36, PAGE 140, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

This being that same property conveyed to Robert P. Sbrissa and Monica Sbrissa by deed dated 4-14-04 and filed 4-21-04 in Instrument 20040421000206220.

Senior Lien

AND WHEREAS, Wachovia Bank is the holder of a lien for \$75,000.00 on said property by virtue of that certain Mortgage Deed from Robert P. Sbrissa and Monica Sbrissa to Wachovia Bank filed for record March 9, 2007 in Instrument No. 20070309000107020 in the Probate Office of Shelby County, Alabama, which said lien is presently secured upon the said Premises, giving certain rights to Wachovia Bank.

Subsequent Mortgage

AND WHEREAS, a Mortgage was given by the said Robert P. Sbrissa and Monica Sbrissa to Wells Fargo Bank, NA for \$327,000.00, dated March 12, 2009 and intended to be forthwith recorded as aforesaid, which said Mortgage is secured on the Premises hereinabove described;

Intent to Subordinate

AND WHEREAS, it is the desire and intention of the parties hereto to subordinate the lien and operation of the lien first above-recited, for the full balance thereof, subordinate to the lien and operation of the Mortgage second above-recited, so that the said Mortgage second above-recited shall and will become a lien upon the said Premises and the lien first above-recited shall be subordinated thereto in every manner whatsoever ;

Consideration and Subordination

NOW WITNESS: That the parties hereto, intending to be legally bound hereby, in consideration of the Premises and of the advantages to be derived from these presents, as well in consideration of the sum of \$10.00 lawful money of the United States of America, each to the other well and truly paid at and before the sealing and delivery of these presents, receipt whereof is hereby acknowledged, agree that the said lien first above recited, secured upon the Premises as therein described shall be, and the same is by these presents, made junior in lien and subordinated to the lien and operation of the said Mortgage second above-recited to be given and executed by Robert P. Sbrissa and Monica Sbrissa to Wells Fargo Bank, NA as aforesaid, secured upon the Premises herein described.

Default

In the event of default under any of the terms or conditions of the said subordinated lien, resulting in foreclosure proceedings thereon, or on the accompanying note, such proceedings shall be especially advertised as being under and subject to the lien and payment of the said Mortgage given and executed by Robert P. Sbrissa and Monica Sbrissa to Wells Fargo Bank, NA , in the principal sum of \$327,000.00.

THIS AGREEMENT shall be binding upon the parties hereto, their heirs, successors, and assigns.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed on this the 4th day of March, 2009

WITNESS

Lisa Sowles

SENIOR LIENHOLDER

WACHOVIA BANK

By:

Its:

Cyndi Pond
Asst. Vice President

ACKNOWLEDGEMENTS

STATE OF Virginia
COUNTY OF Roanoke

I, the undersigned Notary Public, hereby certify that Cyndi Pond, whose name as **ASST. VICE PRESIDENT** of Wachovia Bank, a banking institution, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing conveyance, he/she, as such officer and with full authority, executed the same voluntarily on the date the same bears date.

Given under my hand this 4 day of March, 2009.

Lynn Michelle Johnson
Notary Public

My commission expires: 10/31/09



Embossed Hereon is My Commonwealth of VA
Notary Public Seal - County of Roanoke
My commission expires 10/31/2009
Lynn Michelle Johnson ID #357587

20090406000125050 2/2 \$14.00
Shelby Cnty Judge of Probate, AL
04/06/2009 01:45:26PM FILED/CERT