

Subordination Agreement

This Subordination of Mortgage is executed this 10th day of April, 2009,
by **Red Mountain Bank, NA**.

Witnesseth

WHEREAS, **Red Mountain Bank** is the owner and holder of that certain mortgage in the amount of **One Hundred Thousand Dollars (\$100,000.00)** from **John Mattioli and Holly E Mattioli** recorded on **December 18, 2006** in instrument number, **20061218000613770**, in the Probate Office of **Shelby County, Alabama**, said property being more particularly described as follows:

Lot 232-A according to the Resurvey of Lot 228 and Lot 232, Lakewood, Phase 2, as recorded in Map Book 36, page 125, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

WHEREAS, MERS has made a mortgage loan in the amount of **Two Hundred Ninety Thousand Dollars (\$282,000.00)** to **John and Holly E Mattioli** recorded on 4/30/09 in Instrument Number 20090430000160100 in the Probate Office of **Shelby County, Alabama**, said loan secured by a mortgage which encumbers the above described real property.

WHEREAS, MERS, as a condition for making a first mortgage loan requires **Red Mountain Bank** to subordinate the lien of its mortgage to the amount of **One Hundred Thousand Dollars (\$100,000.00)**, to the lien of MERS 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 MERS that the lien of **Red Mountain Bank** shall be **One Hundred Thousand Dollars (\$100,000.00)** and the same is hereby made subordinate, inferior and subject in every respect to the lien of MERS, which encumbers the above described property provided, however, that the subordination is limited to the amount of **One Hundred Thousand Dollars (\$100,000.00)**.

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, NA

Tracy Corcoran
Tracy Corcoran
Vice President

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that, **Tracy Corcoran**, 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 10th day of April, 2009.

Notary Public: Amanda William Hansen
Notary Name

My commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Oct 17, 2011
BONDED THRU NOTARY PUBLIC UNDERWRITERS