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Shelby Cnty Judge of Probate, AL
05/04/2009 03:17:52 PM FILED/CERT

STATE OF ALABAMA
COUNTY OF Shelby

SUBORDINATION AGREEMENT

WHEREAS, Frontier Bank is the holder of a lien on certain real property (see Exhibit "A"), evidenced by that certain Mortgage, executed by J & M Properties, LLC in favor of Frontier Bank, dated 11/15/2007, and recorded in 20071115000524120 in the office of the Judge of Probate of Shelby County, Alabama; and

WHEREAS, H.Z.H LLC is the holder of a lien on said real property, which is evidenced by that certain Mortgage, executed by J & M Properties LLC in favor of H.Z.H LLC, dated 06/04/2008, and recorded in Shelby in the office of the said Judge of Probate.

NOW THEREFORE, for and in consideration of Ten Dollars (\$10.00), cash in hand paid and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, H.Z.H LLC does hereby subordinate its lien to the lien of Frontier Bank described above, and said lien of H.Z.H LLC will at all times be junior and subordinate to said lien of Frontier Bank, limited to \$880,000.00.

Except as specifically modified herein, all covenants, agreements, rights, privileges and obligations of the parties hereto shall remain in full force and effect, and nothing contained in this document or any document referred to herein shall operate, or be construed to operate, as a waiver of any right, title, or interest now held by any of the parties hereto.

This Subordination Agreement shall be delivered to H.Z.H LLC with the intent that it be recorded in the office of the Judge of Probate of Shelby County, Alabama.

IN WITNESS WHEREOF, Felice G. Hirsch has executed this Subordination Agreement on the 28 day of April, 2009. Managing Member of H.Z.H, LLC

THIS INSTRUMENT PREPARED BY:

FRONTIER BANK
16863 U.S. HWY 290
CHELSEA AL 35043

INDIVIDUAL ACKNOWLEDGMENT

STATE OF ALABAMA
COUNTY OF _____

I, _____, a Notary Public in and for said County, in said State, hereby certify that _____, whose name 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/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this _____ day of _____.

Notary Public

My Commission Expires: _____

CORPORATE/PARTNERSHIP/LIMITED LIABILITY CO. ACKNOWLEDGMENT

(one signer)

STATE OF ALABAMA
COUNTY OF _____

I, _____, a Notary Public in and for said County, in said State, hereby certify that _____, whose name as _____ of _____, a(n) _____, 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/she, as such representative and with full authority, executed the same voluntarily for and as the act of said _____, on the day the same bears date.

Given under my hand and official seal this _____ day of _____.

Notary Public

My Commission Expires: _____

CORPORATE/PARTNERSHIP/LIMITED LIABILITY CO. ACKNOWLEDGMENT

(two-signers)

STATE OF ALABAMA
COUNTY OF Jefferson

I, Steven A. Brickman, a Notary Public in and for said County, in said State, hereby certify that Felice G. Hirsch, whose name as Managing Member of H.Z.H. LLC, a(n) Alabama Limited Liability Company, 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/she, as such representative and with full authority, executed the same voluntarily for and as the act of said Limited Liability Company, on the day the same bears date.

Given under my hand and official seal this 28th day of April.

Notary Public

My Commission Expires: _____

MY COMMISSION EXPIRES MAY 17, 2010
MY COMMISSION EXPIRES MAY 17, 2010

ALSUBRE (1/19/01)