

  
20090507000172300 1/2 \$14.00  
Shelby Cnty Judge of Probate, AL  
05/07/2009 03:33:22 PM FILED/CERT

**This Document Prepared By:**

ANGELA WENDT  
Wachovia Bank, National Association  
Retail Credit Servicing  
P.O. Box 50010  
Roanoke, VA 24022

**When Recorded, Return To:**

Wachovia Bank, National Association  
Retail Credit Servicing  
P.O. Box 50010  
Roanoke, VA 24022

**Parcel No:** 20080613000241080

## SUBORDINATION AGREEMENT

This Subordination Agreement made as of the 27th day of May, 2008, by Wachovia Bank, National Association (herein "Subordinating Lender") and Wachovia Bank, National Association, a national banking association (herein "Lender").

**WHEREAS:**

A. Richard E Nelms and Cindy Patterson Nelms, of 3333 Culloden Way, Birmingham, AL (herein "Borrower"), has applied to Lender for a loan in the amount of \$ 149162.50 to be made to Statement. Such debt will be secured by a security instrument covering certain real property recorded on or shortly thereafter 05/27/2008 (herein "Subsequent Security Instrument").

B. The real property offered by Borrower as security to Lender is currently subject to the prior lien of the Subordinating Lender (herein "Original Security Instrument").

C. Lender will make such loan to Borrower only on the condition precedent that such Original Security Instrument be subordinated to the lien of the Subsequent Security Instrument given by Borrower to Subordinating Lender on 05/27/2008.

D. The Original Security Instrument, which is to be subordinated, covers real property located at 3333 Culloden Way and Shelby.

E. The Original Security Instrument was made on the 8th day of November, 2005, and filed or recorded on 06/13/2008, in book at page number(s) of the records of the County Shelby, State of AL.

**NOW, THEREFORE**, for a good and valuable consideration, the receipt of which is hereby acknowledged, Subordinating Lender hereby agrees that the lien of the Original Security Instrument is subordinate and junior to the lien of the Subsequent Security Instrument including any modifications, extension or renewal of the Subsequent Security Instrument and that the Subsequent Security Instrument shall also have a prior and superior right over the lien of the Original Security Instrument.

**IN WITNESS WHEREOF**, the said officers of Subordinating Lender have hereunto set their hands and seals this 30 day of April, 2009.

**Visit#: 0526600426**

Wachovia Bank, National Association

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By: Colleen Kowalczyk

Name: Colleen Kowalczyk  
Title: VP

ATTEST: Angela Wendt

Name: Angela Wendt  
Title: Processor

ACKNOWLEDGEMENT

For a Corporation:

The State of PA )

BERKS County)  
I, Sharon E Little a Notary Public  
in and for said County in said State, hereby certify that Colleen Kowalczyk,  
whose name as VP VP of the Wachovia Bank, National Association,  
a corporation, 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 conveyance, he, as such officer and with full  
authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this 30<sup>TH</sup> day of April, A. D. 2009.

Sharon E Little  
(Style of Officer)

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Sharon E. Little, Notary Public  
City Of Reading, Berks County  
My Commission Expires Jan. 10, 2011  
Member, Pennsylvania Association of Notaries

Visit#: 0526600426