

Prepared by & return to:  
COLONIAL BANK  
4800 Ashford Dunwoody Rd. Ste. 110  
Dunwoody, GA 30338  
Prepared By: Vera McBurrows  
as a necessary incident to the fulfillment of  
conditions of a title insurance commitment  
issued by it.  
File Number: 8043057887

## SUBORDINATION AGREEMENT

**WHEREAS, Richard E Wallace Sr. and Wife Diane E Wallace** ("Mortgagor"), entered into a Mortgage dated 12/24/2004, recorded on 12/30/2004 in the amount of \$50,000.00 with COLONIAL BANK, ("Mortgagee"), which mortgage was recorded in O.R. Book 2004, Page 70681 of the public records of Shelby County, Alabama (the "Existing Mortgage"), and which mortgage encumbers the following described real property:

Lot 1104, according to the Map of Brook Highland, 11<sup>th</sup> Sector, Phase I, an Eddleman Community, as recorded in Map Book 19, Page 68, in the Probate Office of Shelby County, Alabama.

Parcel ID: 3-9-31-0-1-18.045

Known as: 1021 Ashford Lane

**WHERE AS, Colonial Bank, its successors and/or assigns as their interests may appear**, has made a mortgage loan to **Richard E Wallace, Sr. and Diane E Wallace** dated 06/03/2009, securing a principal sum of \$146,000.00, which mortgage was recorded the 8<sup>th</sup> day of July, 2009 in Official Record Book \* , page   of the public records of Shelby County, Alabama ("the New Mortgage"), which mortgage also encumbers the above described real property, and

\* 20090708000261830

**WHEREAS**, Mortgagee is willing to subordinate the Existing Mortgage to the New Mortgage under the terms set forth in this Agreement;

**NOW THEREFORE**, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, Mortgagee hereby represents, covenants and agrees as follows:

1. That the Existing Mortgage has not been assigned, pledged or transferred in any manner whatsoever.
2. That the Existing Mortgage is, by this instrument subordinated and made inferior to the New Mortgage.

**IN WITNESS WHEREOF**, this instrument is executed this 1st day of June, 2009.

Signed, sealed and delivered in  
the presence of:


Colonial Bank

By: 

Typed Name: Susan Porter

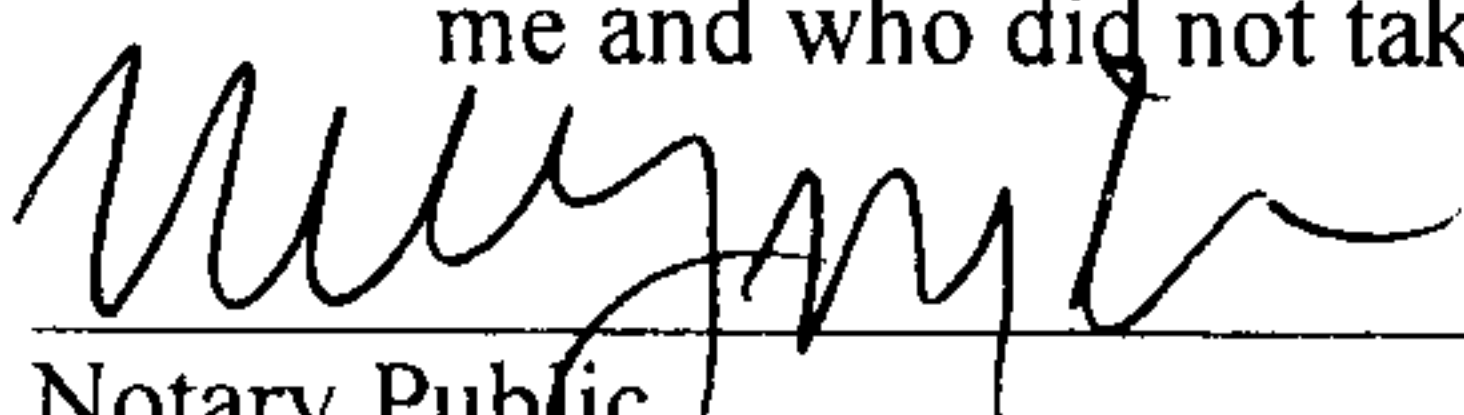
Title: VP/Consumer Lending Underwriting Manager

  
Witness: Vera McBurrows

  
Witness: Brian Cullefer


STATE OF GEORGIA  
COUNTY OF Fulton

The foregoing instrument was acknowledged before me this 1st day of June, 2009 by Susan Porter, VP/Consumer Lending Underwriting Manager, of Colonial Bank who is personally known to me and who did not take an oath.

  
Notary Public

(SEAL)

Nathan L. Miller  
Notary Public  
Fulton County, Georgia  
My Commission Expires September 10, 2012

  
20090708000261840 1/1 \$11.00  
Shelby Cnty Judge of Probate, AL  
07/08/2009 10:00:43 AM FILED/CERT