

20100107000006880 1/3 \$18.00
Shelby Cnty Judge of Probate, AL
01/07/2010 01:34:34 PM FILED/CERT

Subordination Agreement

Recording requested by: LSI

When recorded return to:

Custom Recording Solutions

2550 N. Red Hill Ave.

Santa Ana, CA 92705

(800) 756-3524 ext. 5011

Prepared by: Jeff Graham
Mutual Savings Credit Union
P.O. Box 362045
Hoover, AL 35236-2045

CRS# 7334798

APN: 09-3-08-0-001-001.018

SUBORDINATION AGREEMENT

7334798 (189) - RL

This Subordination Agreement, made November 10, 2009 between **WELLS FARGO** ("Requestor"), and **Mutual Savings Credit Union** ("Lender")

Whereas, **ADNEY F. CASEY AND SPOUSE PAIGE CASEY** ("Borrowers") and **MUTUAL SAVINGS CREDIT UNION** ("Credit Union") are the parties to that certain Interest Only Adjustable Rate Line of Credit Agreement ("Credit Agreement") with a maximum loan amount/credit limit of \$100,000 between the parties, dated February 29, 2008, and secured by a mortgage recorded on March 14, 2008 in the Judge of Probate's Office for SHELBY County, Alabama in INST# 20080314000107190 the following described property:

Lot 158 according to the map of Highland Lakes, 1st Sector, an Eddleman Community as recorded in Map Book 18, Page 37 A, B, C, D, E, F and G in the Probate Office of Shelby County Alabama.

Together with an non-exclusive easement to use the public roadways, common areas, and all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument Number 1994-07111 in the probate office of Shelby County, Alabama and in the Declaration of Covenants, conditions and restrictions for Highland Lakes, a Residential Subdivision, recorded as Instrument Number 1994-07112 in the probate office of Shelby County, Alabama (which with all amendments thereto, is hereinafter collectively referred to as the 'Declaration').

Witnesseth:

with a property address of: **106 SWAN LAKE CIRCLE, BIRMINGHAM, AL 35242** particularly described therein ("The Premises") and,

Whereas, the Borrowers mentioned executed and delivered to REQUESTER a mortgage to secure a principal sum **NOT** to exceed **\$410,524.52** dollars and interest, covering the Premises and
PLEASE RECORD CONCURRENTLY 20100107000006880

Whereas, REQUESTER accepted said mortgage believing the mortgages held by Mutual Savings Credit Union would be subordinated in the Manner hereinafter mentioned;

Now therefore, in consideration of \$1.00 and other good and valuable consideration paid to Mutual Savings Credit Union receipt of which is hereby acknowledge, the Lender hereby covenants and agrees with REQUESTER that said mortgages held by Mutual Savings Credit Union shall be subject and subordinate in lien to the lien of a Mortgage not to exceed **\$410,524.52** dollars and the interest thereon delivered to REQUESTER. **IF FIRST MORTGAGE EXCEEDS \$410,524.52 THIS SUBORDINATION AGREEMENT IS NULL AND VOID.**

This agreement may not be changed or terminated orally. This Agreement shall bind and endure to the benefit of the parties hereto, their respective heirs, representatives, successors and assigns.

The Lender has duly executed this Agreement on November 10, 2009.

MUTUAL SAVINGS CREDIT UNION

JEFF GRAHAM, DIRECTOR LENDING SERVICE

STATE OF ALABAMA
JEFFERSON COUNTY

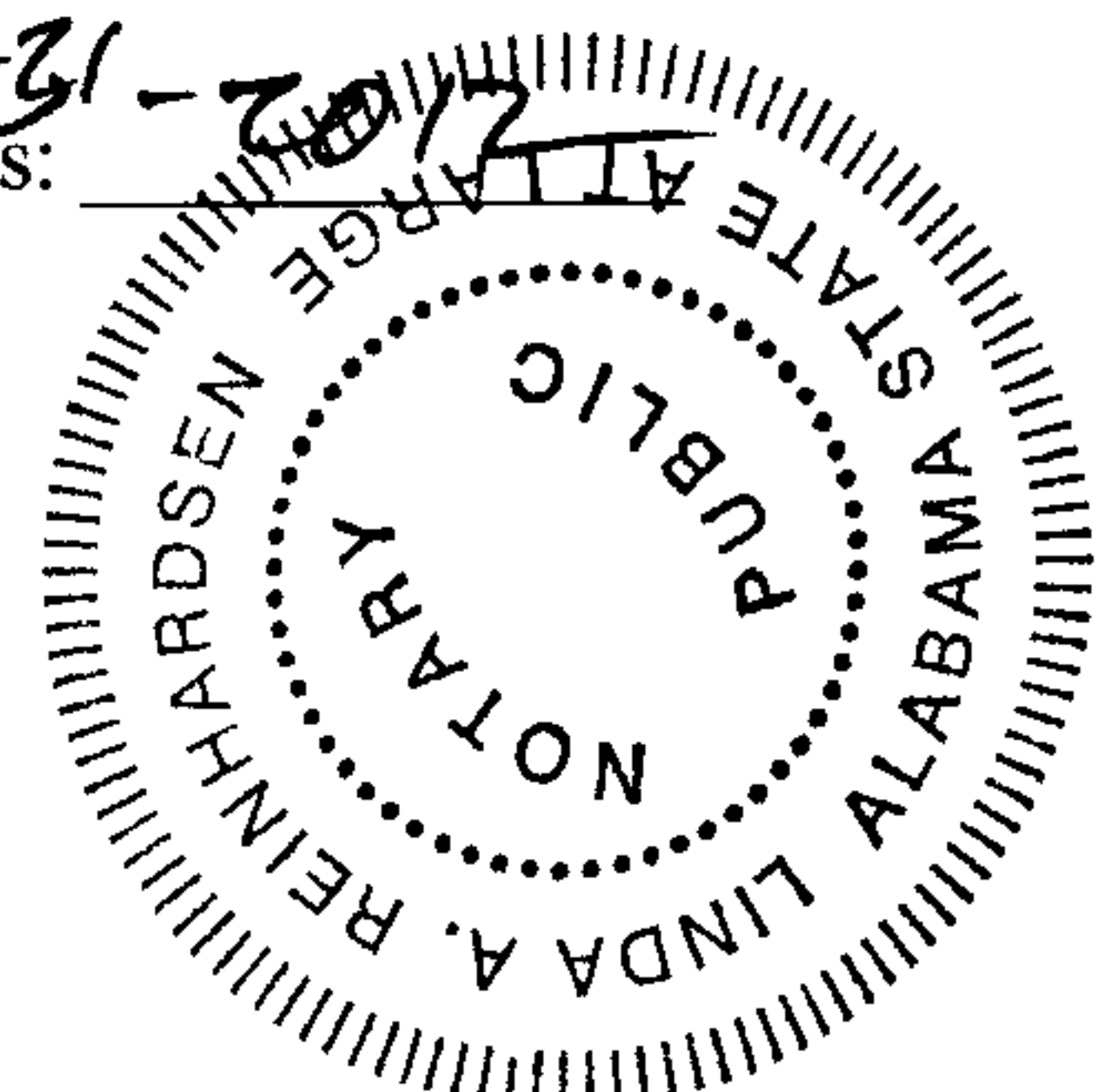
I, the undersigned, a Notary Public in and for said county, in said State, hereby certify that, Jeff Graham, whose name as Director of Lending Services of Mutual Savings Credit Union, a corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, on November 10, 2009.

LINDA A. REINHARDSEN Notary Public

My Commission Expires: 8-31-2012

THIS INSTRUMENT WAS PREPARED BY: LINDA REINHARDSEN
MUTUAL SAVINGS CREDIT UNION
P.O. BOX 362045
HOOVER, AL 35236-2045



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Order ID: 7334798

Loan No.: 0116351057

EXHIBIT A LEGAL DESCRIPTION

The following described property:

Lot 158 according to the map of Highland Lakes, 1st Sector, an Eddleman Community as recorded in Map Book 18, Page 37 A, B, C, D, E, F and G in the Probate Office of Shelby County Alabama.

Together with an non-exclusive easement to use the public roadways, common areas, and all as more particularly described in the Declaration of Easements and Master Protective Covenants for Highland Lakes, a Residential Subdivision, recorded as Instrument Number 1994-07111 in the probate office of Shelby County, Alabama and in the Declaration of Covenants, conditions and restrictions for Highland Lakes, a Residential Subdivision, recorded as Instrument Number 1994-07112 in the probate office of Shelby County, Alabama (which with all amendments thereto, is hereinafter collectively referred to as the 'Declaration').

Excepting therefrom all oil, gas, minerals and other hydrocarbon substances below a depth of 500 feet, without rights of surface entry, as reserved in instruments of record

Assessor's Parcel Number: 09-3-08-0-001-001.018