

STATE OF ALABAMA
COUNTY OF SHELBY

SBA Loan No. DLH 93582340-00

SUBORDINATION

3032691
WHEREAS, Greg M. Rodivich and Lezlie D. Rodivich, hereinafter "Borrowers", are presently indebted to the U. S. Small Business Administration, an agency of the Government of the United States of America, hereinafter referred to as "SBA", as evidenced by that certain Promissory Note executed by said Borrowers in favor of SBA dated June 21, 2006, in the original principal amount of \$200,000.00; and,

WHEREAS, the said Note is secured by, among other things, that certain Mortgage executed by Greg M. Rodivich and Lezlie D. Rodivich, husband and wife, in favor of the Administrator of the SBA dated June 21, 2006, and recorded as Document No. 20060814000394190, in the Public Records of SHELBY County; and,

WHEREAS, said Borrowers are desirous of obtaining an additional loan in the amount of \$127,722.00 from Flagstar Bank, FSB, hereinafter referred to as "Lender", for the purpose of refinancing and combining the first and third Mortgages; and,

WHEREAS, the Lender requires the Borrowers to secure said loan with a Mortgage on the real estate described herein below, to wit:

AS DESCRIBED IN ABOVE REFERENCED Mortgage

and further requests that SBA subordinate its Mortgage to that Mortgage having been taken or to be taken by said Lender.

NOW THEREFORE, in and for good and valuable consideration, and in order to induce said Lender to make said loan to said Borrowers, SBA does herewith **subordinate** its Mortgage, to that Mortgage taken or to be taken by the Lender, which secures said loan.

IT IS EXPRESSLY AGREED AND UNDERSTOOD, HOWEVER, that neither this Subordination, nor anything contained herein shall in anywise alter or affect the validity of the Mortgage or the amendments thereto of SBA first mentioned herein, or the lien on the real estate so subordinated herein, or any of the other collateral securing the indebtedness of the Borrowers to the SBA.

IT IS FURTHER EXPRESSLY AGREED AND UNDERSTOOD that this Subordination is to extend only to the amount of the current loan made to the Borrowers, for the purpose or purposes expressly set forth herein; and will not be valid for or extend to any future advances by Lender to Borrowers, on the Note evidencing Lender's loan. This clause, however, is NOT intended to prevent or inhibit advances by Lender for expenses incidental to the preservation of its collateral, protection of its security interest, collection of its debt, and/or the like.

IN WITNESS WHEREOF, the Administrator has caused this Subordination agreement to be executed by Terry J. Miller, Center Counsel, pursuant to the delegation of authority contained in Delegation of Authority, No. 12-D, Revision 3, Re-delegation of Disaster Assistance, published in the Federal Register, Vol. 58, No. 206, page 57891, October 23, 1993.

KAREN G. MILLS, ADMINISTRATOR
U.S. Small Business Administration

By: Terry J. Miller
Terry J. Miller, Center Counsel

20100729000241450 2/3 \$18.00
Shelby Cnty Judge of Probate, AL
07/29/2010 11:09:48 AM FILED/CERT

SIGNED BEFORE
THE FOLLOWING WITNESSES: .

Sandy Lauriello
Sandy Lauriello

Sharon Lewis
Sharon Lewis

STATE OF ALABAMA
COUNTY OF JEFFERSON

I, the undersigned, a Notary Public in and for said County in said State do hereby certify that Terry J. Miller, Center Counsel, whose name as Center Counsel, Birmingham Loan Service Center, U. S. Small Business Administration, 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 this instrument, he, in his capacity as such Center Counsel, with full authority, did execute the same voluntarily for and as the official act of the Small Business Administration.

GIVEN UNDER MY HAND and official seal, at Birmingham, Alabama on July 19, 2010.

Marilyn M. Drake
Notary Public
Marilyn M. Drake

My Commission expires: February 4, 2012.

This instrument prepared by:
Terry J. Miller, Center Counsel
SBA Disaster Loan Servicing Center
801 Tom Martin Drive, Suite 120
Birmingham, AL 35211



20100729000241450 3/3 \$18.00
Shelby Cnty Judge of Probate, AL
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Exhibit A

The land referred to herein is situated in the State of **AL**, County of **Shelby** described as follows:

**LOT 9, ACCORDING TO THE SURVEY OF THE CEDARS, AS RECORDED IN MAP
BOOK 25, PAGE 134, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.**

SOURCE OF TITLE: INSTRUMENT NO. 20060110000014680 (RECORDED 1/10/2006)

APN: 093070008009