

SUBORDINATION AGREEMENT

This Subordination Agreement made as of the 22 day of October, 2010, by BANCORPSOUTH BANK having an address of PO BOX 4360, TUPELO, MS 38808, ("Subordinator"), and FAIRWAY INDEPENDENT MORTGAGE CORP., a corporation with its principal place of business at 771 LOIS DRIVE, SUN PRAIRIE, WI 53590 ("Lender").

RECITALS:

- A. PHILIP R FINE AND DAVADEEN FINE, of 2101 CAMERON CIRCLE, BIRMINGHAM, AL 35242 ("Borrower"), has applied to Lender for a loan to be made to Borrower and to be evidenced by a promissory note secured by a mortgage covering certain real property.
- B. The real property offered by Borrower as security to Lender is currently subject to the prior lien of the mortgage described below.
- C. Lender will make such loan to Borrower only on the condition precedent that such mortgage be subordinated to the lien of the mortgage described below to be given by Borrower to Lender.

In consideration of the matters described above, and of the mutual benefits and obligations set forth in this agreement, the parties agree as follows:

SUBORDINATION OF EXISTING MORTGAGE

The mortgage to be subordinated covers real property described as:

SEE ATTACHED EXHIBIT A

and made on the 10TH day of AUGUST, 2007 between PHILIP R FINE AND DAVADEEN FINE [Borrower] and BANCORPSOUTH BANK [Subordinator], and filed AS MORTGAGE INSTRUMENT NUMBER 20070907000422890 of the records of the County of SHELBY, State of ALABAMA, shall be and the same is now subordinated and made subject and subsequent to the lien of that certain mortgage covering the real property referenced above, between PHILIP R FINE AND DAVADEEN FINE [Borrower] and FAIRWAY INDEPENDENT MORTGAGE CORP. [Lender], in the amount of \$413,600.00 and filed or recorded on the _____ day of _____, 2010, in INSTRUMENT NUMBER _____, of the records of the County of SHELBY, State of ALABAMA .

The undersigned Subordinator has executed this agreement at _2211 Highland Ave. So., Birmingham, AL 35205_ [designate location], on the date first appearing above.

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Darryl Bell
SUBORDINATOR – BancorpSouth Bank

By: Darryl Bell

Its: Vice President

State of ALABAMA)
County of JEFFERSON)

This instrument was acknowledged before me this 22 day of October, 2010, for and on behalf of BancorpSouth Bank.

Cynthia K Mitchell

Notary Public

My commission expires March 16, 2011 :

 Cynthia K. Mitchell
Notary Public
Alabama State at Large
My Commission Expires March 16, 2011

EXHIBIT A



20101203000404970 3/3 \$18.00
Shelby Cnty Judge of Probate, AL
12/03/2010 01:44:09 PM FILED/CERT

LOT 8, ACCORDING TO THE SURVEY OF ST. IVEY AT
GREYSTONE, AS RECORDED IN MAP BOOK 15, PAGE 70 A & B, IN
THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.
