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~~ce f/k/a Red Mountain Bank, N.A.~~

**Subordinate Agreement**

This Subordination of Mortgage is executed this **29th** day of **November, 2010** by  
**National Bank of Commerce f/k/a Red Mountain Bank, N.A.**

**Witnesseth**

WHEREAS, **National Bank of Commerce f/k/a Red Mountain Bank, N.A.** is the owner and holder of that certain mortgage in the amount of **Ten Thousand Dollars (\$10,000.00)** from **Stephanie L. Dorolek and Joseph M. Dorolek** recorded on **November 7, 2005** in **Instrument #20051107000578470** in the Probate Office of **Shelby County, Alabama**, said property being more particularly described as follows:

**Lot 61, according to the Survey of Weatherly, Glen Abbey, Sector 12, Phase 3 as recorded in Map Book 19, Page 155, in the Probate Office of Shelby County, Alabama, being situated in Shelby County, Alabama.**

WHEREAS, **Wells Fargo Bank, N.A.** has made a mortgage loan in the amount of **One Hundred Eighty Three Thousand and no/1.00 Dollars (\$183,000.00)** to **Stephanie L. Dorolek and Joseph M. Dorolek** <sup>dated</sup> recorded on 12/10/10 in Instrument Number \* 20101222000430570, in the Probate Office of **Shelby County, Alabama**, said loan secured by a mortgage which encumbers the above described real property. <sup>not to exceed</sup>

WHEREAS, **Wells Fargo Bank, N.A.** as a condition for making a first mortgage loan requires **National Bank of Commerce f/k/a Red Mountain Bank, N.A.** to subordinate the lien of its mortgage to the lien of **Wells Fargo Bank, N.A.** and **National Bank of Commerce f/k/a Red Mountain Bank, N.A.** has agreed to do so.

NOW THEREFORE, for and in consideration of the premises hereof and of mutual advantages and benefits accruing to the parties hereto, **National Bank of Commerce f/k/a Red Mountain Bank, N.A.** does hereby covenant, consent and agree to and with **Wells Fargo Bank, N.A.** that the lien of **National Bank of Commerce f/k/a Red Mountain Bank, N.A.** shall be and the same is hereby made subordinate, inferior and subject in every respect to the lien of **Wells Fargo Bank, N.A.**, which encumbers the above described property provided, however, that the subordination is limited to the amount of **One Hundred Eight Three Thousand Dollars (\$183,000.00)**.

IN WITNESS WHEREOF, this agreement is executed the day and year first written above.

**Signed, sealed and delivered in the presence of:**

**National Bank of Commerce f/k/a Red Mountain Bank, N.A., N.A.**

20101222000430580 1/2 \$17.00  
Shelby Cnty Judge of Probate, AL  
12/22/2010 12:06:35 PM FILED/CERT

Frank Caley  
By: Frank Caley  
Its: Vice President

STATE OF ALABAMA )  
Jefferson COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Frank Caley** whose name as **Vice President** of **National Bank of Commerce f/k/a Red Mountain Bank, N.A.**, is signed to the foregoing instrument, and who is know to me, acknowledged before me on this day, that being informed of the content of said instrument, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this **29th** day of **November, 2010**

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: July 23, 2014  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

Notary Public:

Sharon Kilgore  
Notary Name: Sharon Kilgore  
My Commission expires:

**Exhibit "A"**  
**Legal Description**

ALL THAT CERTAIN PARCEL OF LAND SITUATED IN CITY OF ALABASTER, SHELBY COUNTY, STATE OF ALABAMA, BEING KNOWN AND DESIGNATED AS LOT 61 ACCORDING TO THE SURVEY OF WEATHERLY GLEN ABBEY SECTOR 12 PHASE 3 AS RECORDED IN MAP BOOK 19 PAGE 155 IN THE PROBATE OFFICE OF SHELBY COUNTY ALABAMA BEING SITUATED IN SHELBY COUNTY ALABAMA.

BY FEE SIMPLE DEED FROM JEFFREY L. KELLY AND CINDY M. KELLY, HUSBAND AND WIFE AS SET FORTH IN INST # 200210167 DATED 02/28/2002 AND RECORDED 03/04/2002, SHELBY COUNTY RECORDS, STATE OF ALABAMA.

Tax/Parcel ID: 14-9-31-2-001-001.050

