



STATE OF ALABAMA  
COUNTY OF JEFFERSON



20110418000118860 1/1 \$13.00  
Shelby Cnty Judge of Probate, AL  
04/18/2011 02:32:14 PM FILED/CERT

**SUBORDINATION AGREEMENT**

WHEREAS, **SOUTHPOINT BANK** is the holder of a lien on certain real property (see Exhibit "A"), evidenced by that certain Mortgage, executed by **DARIN V CISELL AND SPOUSE MELISSA J CISELL** in favor of **SOUTHPOINT BANK**, dated **APRIL 3, 2008**, and recorded in **20080409000144290** in the office of the Judge of Probate of **SHELBY** County, Alabama; and

WHEREAS, **SOUTHPOINT BANK** is the holder of a lien on said real property, which is evidenced by that certain Mortgage, executed by **DARIN V CISELL AND SPOUSE MELISSA J CISELL** in favor of **SOUTHPOINT BANK**, dated **4/8/11**, and recorded in **SHELBY** in the office of the said Judge of Probate.

NOW THEREFORE, for and in consideration of Ten Dollars (\$10.00), cash in hand paid and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, **SOUTHPOINT BANK** does hereby subordinate its lien to the lien of **SOUTHPOINT BANK** described above, and said lien of **SOUTHPOINT BANK** will at all times be junior and subordinate to said lien of **SOUTHPOINT BANK**.

Except as specifically modified herein, all covenants, agreements, rights, privileges and obligations of the parties hereto shall remain in full force and effect, and nothing contained in this document or any document referred to herein shall operate, or be construed to operate, as a waiver of any right, title, or interest now held by any of the parties hereto.

This Subordination Agreement shall be delivered to **3500 COLONNADE PARKWAY SUITE 140 BIRMINGHAM, AL 35243** with the intent that it be recorded in the office of the Judge of Probate of **SHELBY** County, Alabama.

IN WITNESS WHEREOF, **SOUTHPOINT BANK** has executed this Subordination Agreement on the **5TH** day of **APRIL, 2011**.

**SOUTHPOINT BANK**  
BY *Frank K Battle*  
**FRANK K BATTLE, CHIEF LENDING OFFICER**

THIS INSTRUMENT PREPARED BY:  
**Allison McClellan - SouthPoint Bank**

**3500 Colonnade Parkway Suite 140**  
**Birmingham, AL 35243**

**INDIVIDUAL ACKNOWLEDGMENT**

STATE OF ALABAMA  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in and for said County, in said State, hereby certify that \_\_\_\_\_, whose name 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/she executed the same voluntarily on the day the same bears day.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:

**CORPORATE/PARTNERSHIP/LIMITED LIABILITY CO. ACKNOWLEDGMENT**  
(one signer)

STATE OF ALABAMA  
COUNTY OF JEFFERSON

I, **ALLISON F MCCLELLAN**, a Notary Public in and for said County, in said State, hereby certify that **FRANK K BATTLE**, whose name as **CHIEF LENDING OFFICER** of **SOUTHPOINT BANK**, a(n) **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/she, as such representative and with full authority, executed the same voluntarily for and as the act of said **SOUTHPOINT BANK**, on the day the same bears date.

Given under my hand and official seal this **5TH** day of **APRIL, 2011**.

*Allison F. McClellan*  
Notary Public **ALLISON F MCCLELLAN**

My Commission Expires:

10/02/2013

**CORPORATE/PARTNERSHIP/LIMITED LIABILITY CO. ACKNOWLEDGMENT**  
(two-signers)

STATE OF ALABAMA  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in and for said County, in said State, hereby certify that \_\_\_\_\_, whose name as \_\_\_\_\_ of \_\_\_\_\_, a(n) \_\_\_\_\_, 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/she, as such representative and with full authority, executed the same voluntarily for and as the act of said \_\_\_\_\_, on the day the same bears date.

Given under my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: