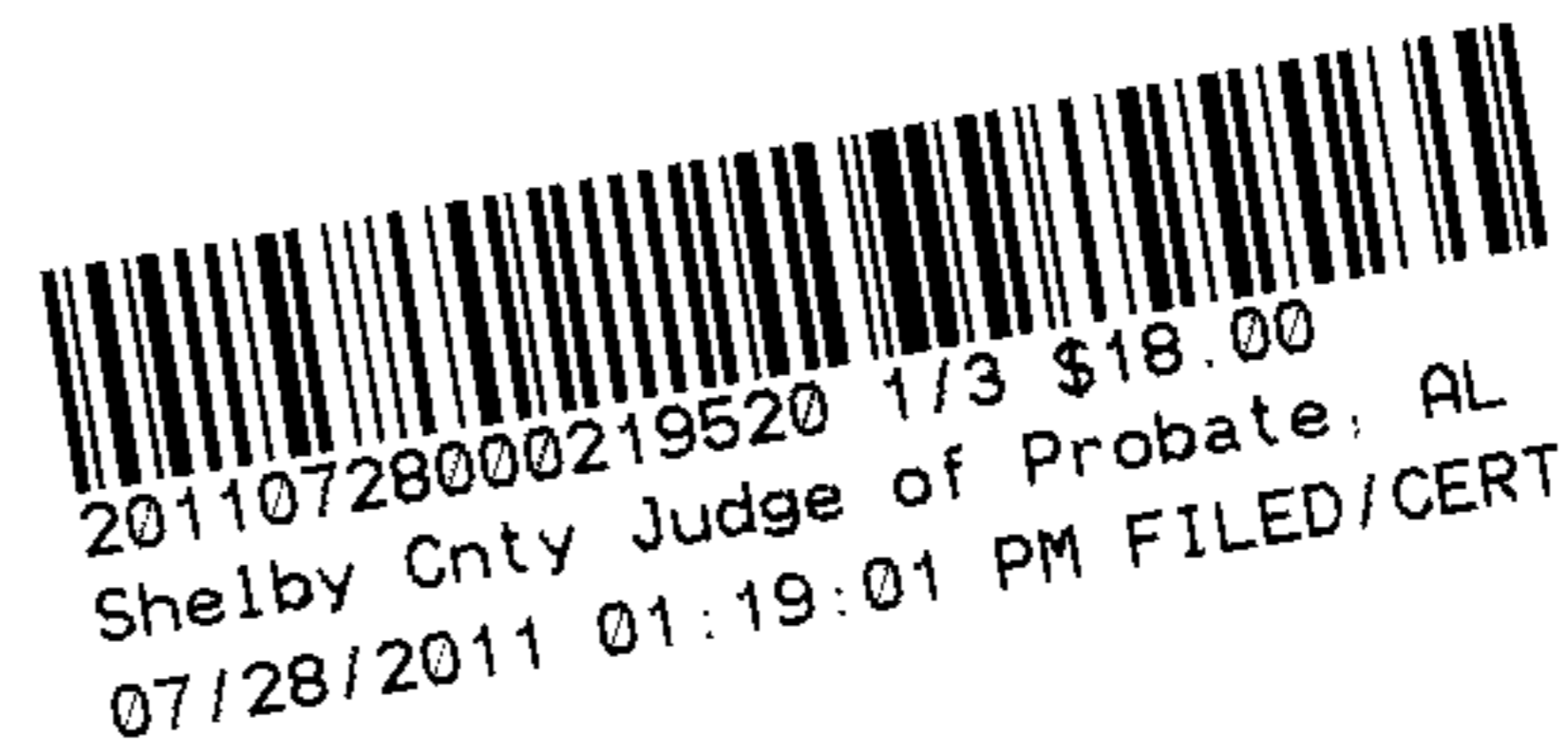


Tax/Parcel Identification No.:
RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:
Charles Schwab Bank,
One Mortgage Way
P.O. Box 5449
Mt. Laurel, NJ 08054
Mail Stop: DC
Loan No: 7121663103/ 0055498216



SUBORDINATION AGREEMENT

WHEREAS, Charles Schwab Bank ("CSB"), whose address is 3000 Leadenhall Road, Mt. Laurel, NJ 08054, is the holder of record of the following described Mortgage ("Mortgage"), covering that certain property in Shelby County, State of Alabama, described in Exhibit A attached hereto and made a part hereof (the "Premises"):

(1) Mortgage executed by Scott L. Kimel and Jenny J. Kimel, husband and wife, Dated September 12, 2008, to secure a loan in the amount of \$75,600.00 in favor of CSB, which Mortgage was recorded on September 26, 2008, as Instrument No. 20080926000381220, in the public records of said County (the "First Mortgage");

(2) Mortgage executed or to be executed by Scott L. Kimel and Jenny J. Kimel, husband and wife, to be recorded concurrently herewith in public records of said County, to secure a loan in the amount of \$297,117.22 in favor of CSB (the "Second Mortgage"); and

WHEREAS, CSB desires to establish the priority of its two liens and desires to establish the Second Mortgage as a first lien on the Premises and to subordinate the lien of the First Mortgage to the lien of the Second Mortgage.

NOW THEREFORE, CSB subordinates the lien of the First Mortgage to the lien of the Second Mortgage and declares that the Second Mortgage shall be a first lien on the Premises and shall be entitled to the same rights and privileges, both in law and equity, as it would have had if the Second Mortgage had been executed, delivered and recorded prior to the First Mortgage.

Executed this 13th day of July, 2011.

IN THE PRESENCE OF

Jody Hunter
Witness Signature

Jody Hunter
Printed Name

R. Cornish
Witness Signature

Rosalina Cornish
Print Name

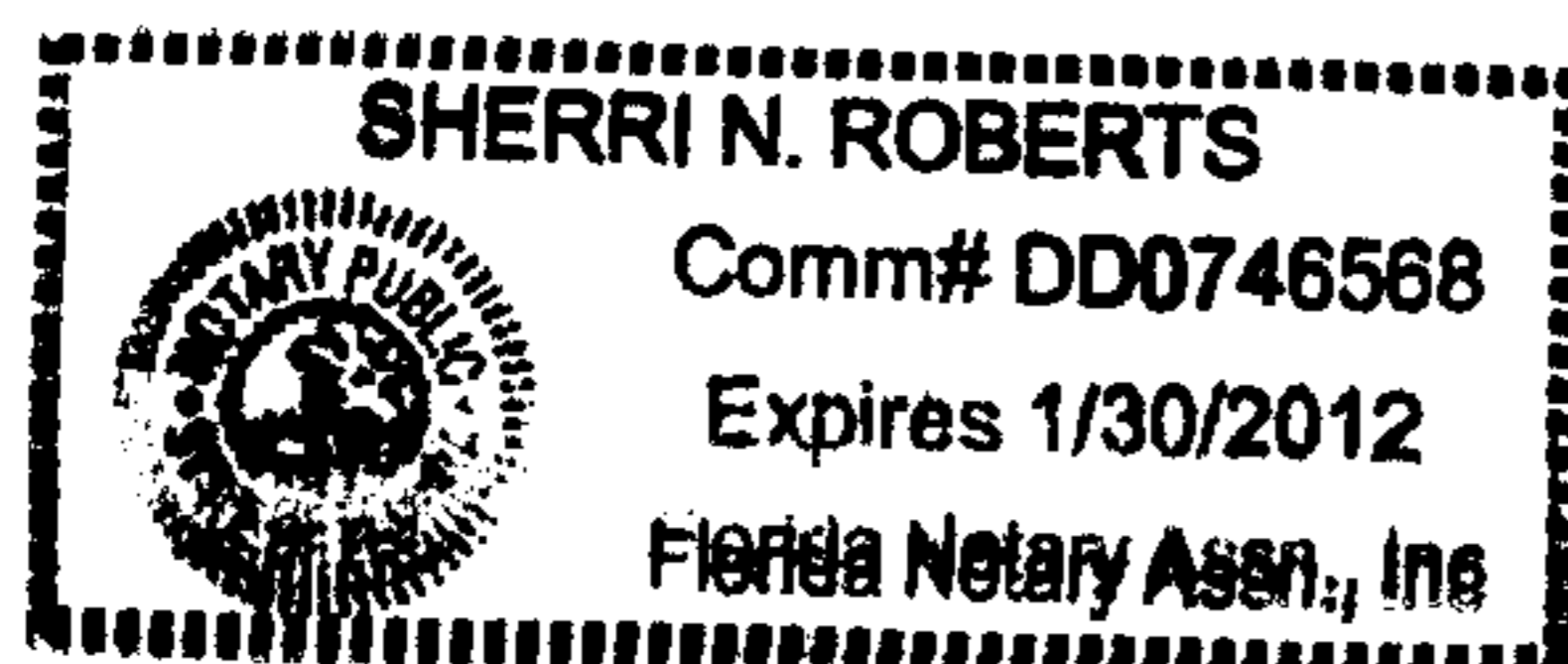
CHARLES SCHWAB BANK

By: PHH Mortgage Corporation, Authorized Agent

By: Laurie Perkins
Name: LAURIE PERKINS
Title: Vice President

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 13th day of July, 2011, by Laurie Perkins, Vice President, of PHH Mortgage Corporation, the duly authorized agent of Charles Schwab Bank on behalf of the corporation. She is personally known to me.



Sherrin N. Roberts

Name:
Notary Public, State of Florida
Commission No.:
My Commission Expires:



20110728000219520 2/3 \$18.00
Shelby Cnty Judge of Probate, AL
07/28/2011 01:19:01 PM FILED/CERT

Exhibit A
(Property Description)

COUNTY: SHELBY

PROPERTY ADDRESS: 2001 BRIARCLIFF CIRCLE
BIRMINGHAM, AL 35242

THE FOLLOWING DESCRIBED REAL ESTATE, LYING AND BEING IN THE COUNTY OF SHELBY, STATE OF ALABAMA, TO-WIT:

LOT 2405, ACCORDING TO THE SURVEY OF BROOK HIGHLAND, 24TH SECTOR, AN EDDLEMAN COMMUNITY, AS RECORDED IN MAP BOOK 28, PAGE 17 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.

SUBJECT TO RESTRICTIONS, RESERVATIONS, EASEMENTS, COVENANTS, OIL, GAS OR MINERAL RIGHTS OF RECORD, IF ANY.

BEING THE SAME PREMISES CONVEYED TO SCOTT L. KIMEL AND JENNY J. KIMEL, FOR AND DURING THEIR JOINT LIVES AND UPON THE DEATH OF EITHER, THEN TO THE SURVIVOR OF THEM FROM SPROUL BLALOCK PATE, INC., AN ALABAMA CORPORATION BY STATUTORY JOINT SURVIVORSHIP DEED DATED 07/30/2003, AND RECORDED ON 08/06/2003, DOCUMENT # 20030806000513350, IN SHELBY COUNTY, AL.

