  
20110808000230820 1/3 \$19.00  
Shelby Cnty Judge of Probate, AL  
08/08/2011 10:25:36 AM FILED/CERT

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**SUBORDINATION AGREEMENT**

**Mail To:**

**CHICAGO TITLE  
SERVICELINK DIVISION  
4000 INDUSTRIAL BLVD.  
ALIQUIPPA, PA 15001  
ORDER #2727633**

**TAX ID: 28-4-17-1-002-035.000**



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## SUBORDINATION AGREEMENT

This Subordination Agreement, made June 24, 2011 between <sup>6</sup>BANK OF AMERICA, N.A. its successors and/or assigns ("Requestor"), and Mutual Savings Credit Union ("Lender")

Witnesseth:

Whereas, **PAUL A. BIRK AND SPOUSE AMELIA M. BIRK** ("Borrowers") and **MUTUAL SAVINGS CREDIT UNION** ("Credit Union") are the parties to that certain Interest Only Adjustable Rate Line of Credit Agreement ("Credit Agreement") with a maximum loan amount/credit limit of \$40,200.00 between the parties, dated October 5, 2007, and secured by a mortgage recorded on October 25, 2007 in the Judge of Probate's Office for SHELBY County, Alabama in INST#**20071025000493360** on the following described property:

**LOT 196, ACCORDING TO THE FINAL PLAT OF CAMDEN COVE WEST, SECTOR ONE, AS RECORDED IN MAP BOOK 33, PAGE 143, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA.**

And, whereas, Borrowers have requested that Credit Union subordinate the herein referenced Mortgage to a subsequent Mortgagee;

with a property address of: **116 RUSHTON LANE, CALERA, AL 35040** particularly described therein ("The Premises") and,

Whereas, the Borrowers mentioned executed and delivered to REQUESTER a mortgage to secure a principal sum **NOT** to exceed **\$143,300.00** dollars and interest, covering the Premises and

Whereas, REQUESTER accepted said mortgage believing the mortgages held by Mutual Savings Credit Union would be subordinated in the Manner hereinafter mentioned;

Now therefore, in consideration of \$1.00 and other good and valuable consideration paid to Mutual Savings Credit Union receipt of which is hereby acknowledge, the Lender hereby covenants and agrees with REQUESTER that said mortgages held by Mutual Savings Credit Union shall be subject and subordinate in lien to the lien of a Mortgage **NOT** to exceed **\$143,300.00** dollars and the interest thereon delivered to REQUESTER.

This agreement may not be changed or terminated orally. This Agreement shall bind and endure to the benefit of the parties hereto, their respective heirs, representatives, successors and assigns.

The Lender has duly executed this Agreement on June 24, 2011

<sup>6</sup>**Bank of America NA**  
101 South Tryon Street  
Charlotte, NC 28255

MUTUAL SAVINGS CREDIT UNION

  
JEFF GRAHAM, VP OF LENDING SERVICE

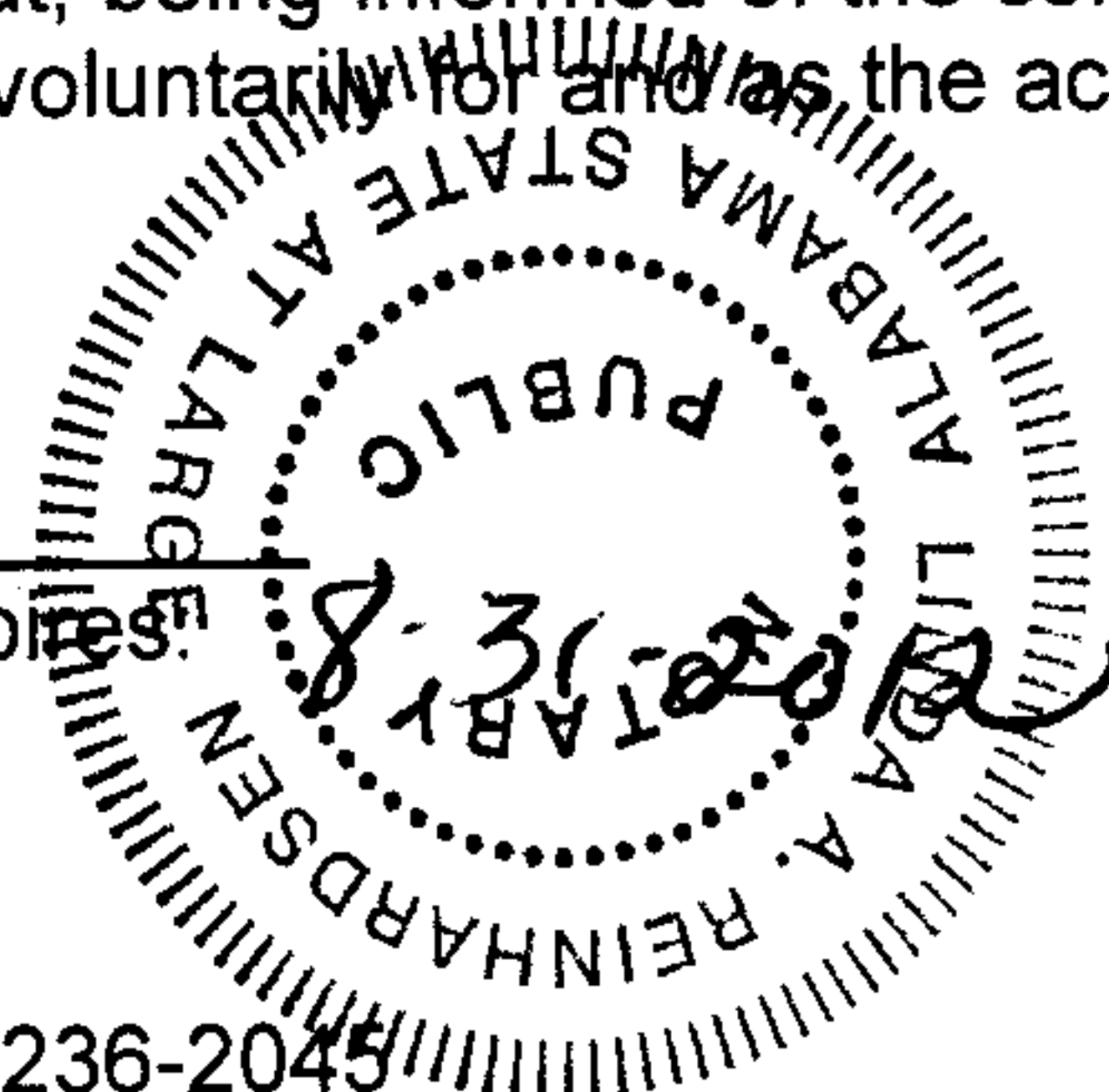
STATE OF ALABAMA  
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said county, in said State, hereby certify that, Jeff Graham, whose name as VP of Lending Services of Mutual Savings Credit Union, a 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, on June 24, 2011

**RETURN TO:**  
**Chicago Title**  
ServiceLink Division  
4000 Industrial Blvd  
Alhambra, PA 19004  
**#2727633**

  
Notary Public My Commission Expires



THIS INSTRUMENT WAS PREPARED BY: Linda Reinhardtsen  
MUTUAL SAVINGS CREDIT UNION – P.O. BOX 362045 - HOOVER, AL 35236-2045

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

ALL THAT PARCEL OF LAND IN CITY OF CALERA, SHELBY COUNTY, STATE OF ALABAMA, BEING KNOWN AND DESIGNATED AS LOT 196, ACCORDING TO THE FINAL PLAT OF CAMDEN COVE WEST, SECTOR ONE, AS RECORDED IN MAP BOOK 33, PAGE 143, IN THE PROBATE OFFICE OF SHELBY COUNTY, STATE OF ALABAMA.

BEING THE SAME PROPERTY CONVEYED TO AMELIA M. BIRK AND PAUL A. BIRK, AS JOINT TENANTS BY FEE SIMPLE DEED FROM J. B. NIX HOMEBUILDERS, INC. AS SET FORTH IN INST # 20050317000119210 DATED 02/25/2005 AND RECORDED 03/17/2005, SHELBY COUNTY RECORDS, STATE OF ALABAMA.

Tax/Parcel ID: 28-4-17-1-002-035.000