

## SUBORDINATION AGREEMENT

525364

This Agreement made this February 13, 2012 by Mortgage Electronic Registration Systems, Inc. ("MERS"), as a nominee for New York Community Bank, assignee from the FDIC as Receiver for AmTrust Bank, ISAOA whose address is P.O. Box 2026, Flint MI 48501-2026 (hereinafter called "Mortgagee") and **JP MORGAN CHASE BANK, N.A.**, (hereinafter called "New Mortgagee").

WHEREAS, Mortgagee is the holder of a Mortgage (hereinafter called "Mortgage") in the amount of **\$42,800.00** executed by **GIAO TRAN NGUYEN AND CONNIE LINDSEY NGUYEN**, dated **02/05/2007**, recorded **02/26/2007**, in **Document #20070226000085420**, in **SHELBY** County Records and covering the property described as follows:

*\* being recorded simultaneously here with*  
**Legal Description**

**SEE ATTACHED EXHIBIT A**

Commonly known as: **296 HIGHLAND PARK DRIVE, BIRMINGHAM, AL 35242**

WHEREAS **GIAO TRAN NGUYEN AND CONNIE LINDSEY NGUYEN** has applied to New Mortgagee for a loan in the amount not to exceed **\$320,900.00** which is to be secured by a mortgage (hereinafter called "New Mortgage") covering the above described property.

WHEREAS, it is hereby agreed that the lien of the Mortgage shall be subordinate to the lien of the New Mortgage.


Thereof, in consideration of \$1.00 and other valuable consideration, receipt whereof is hereby acknowledged, Mortgagee covenants and agrees as follows:


1. Mortgagee hereby waives the priority of the lien of the Mortgage in favor of the lien of the New Mortgage and covenants and agrees that the Mortgage is and shall be subject and subordinate to the lien of the New Mortgage without regard to the time of execution, filing, origination or recording thereof or the time of making any disbursement, loan or extension of the credit secured thereby.
2. Mortgagee represents and warrants that it has not assigned or transferred, for collateral purposes or otherwise, the Mortgage or the obligations secured thereby.
3. This Agreement shall be binding upon and shall insure to the benefit of the Mortgagee and the New Mortgagee and their respective heirs, legal representatives, successors and assigns.

WITNESSES:

Mortgage Electronic Registration Systems,  
Inc.

  
Yecenia M Mellado

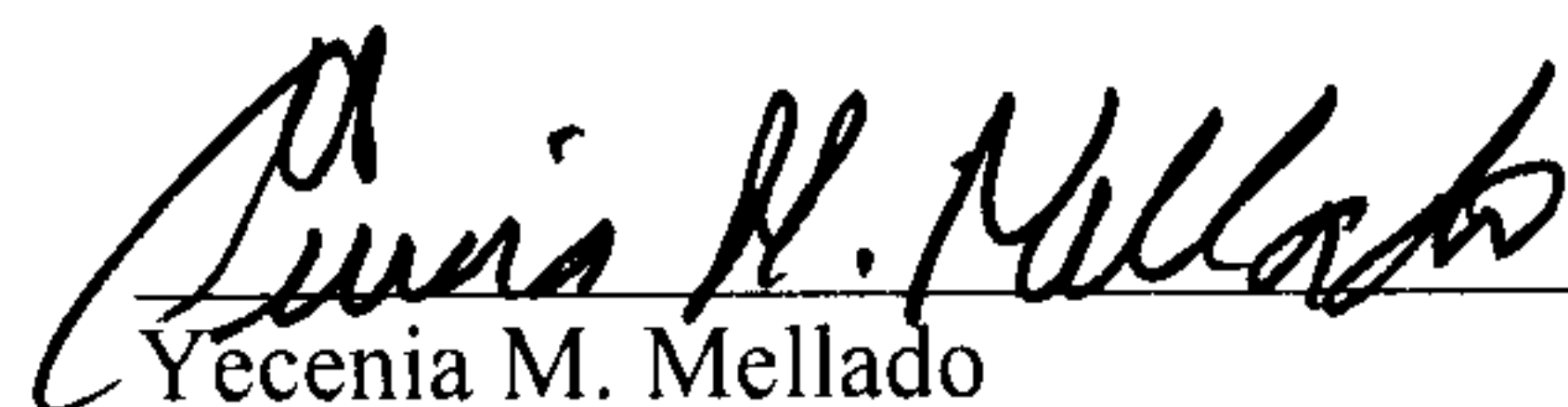
  
Sandra Osborne

By:   
Donna Wilson  
Its: Asst Secretary

STATE OF OHIO                    )  
  ) SS  
COUNTY OF CUYAHOGA )

BEFORE ME, the undersigned, a Notary Public, in and for said County and State on this February 13, 2013, personally appeared Donna Wilson to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its Asst Secretary and acknowledged to me that he/she/they executed the same as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.


Given under my hand and seal of office the day and year last above written.

  
Yecenia M. Mellado  
Notary Public, Cuyahoga County, Ohio  
Commission Expires: April 30, 2013  
Recorded in Cuyahoga County



YECENIA M. MELLADO, Notary Public  
State of Ohio  
My Commission Expires April 30, 2013  
Recorded in Cuyahoga County



  
20120305000077480 3/3 \$18.00  
Shelby Cnty Judge of Probate, AL  
03/05/2012 01:20:30 PM FILED/CERT

**Exhibit "A"**

The land referred to in this policy is situated in the **STATE OF ALABAMA, COUNTY OF SHELBY, CITY OF BIRMINGHAM**, and described as follows:

LOT 1722-A, ACCORDING TO THE MAP OF HIGHLAND LAKES, 17TH SECTOR, AN EDDLEMAN COMMUNITY, AS RECORDED IN MAP BOOK 27, PAGE 90 A & B, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN SHELBY COUNTY, ALABAMA. TOGETHER WITH NONEXCLUSIVE EASEMENT TO USE THE PRIVATE ROADWAYS, COMMON AREA ALL AS MORE PARTICULARLY DESCRIBED IN THE DECLARATION OF EASEMENTS AND MASTER PROTECTIVE COVENANTS FOR HIGHLAND LAKES, A RESIDENTIAL SUBDIVISION, RECORDED AS INSTRUMENT #1994-07111 AND AMENDED IN INSTRUMENT #1996-17543 AND FURTHER AMENDED IN INST. #1999-31095 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA, AND THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HIGHLAND LAKES, A RESIDENTIAL SUBDIVISION, 17TH SECTOR, RECORDED AS INSTRUMENT #2000-41317 IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA (WHICH, TOGETHER WITH ALL AMENDMENTS THERETO, IS HEREINAFTER COLLECTIVELY REFERRED TO AS, THE "DECLARATION").

Being all of that certain property conveyed to GIAC TRAN NGUYEN AND CONNIE LINDSEY NGUYEN from RUMAKER CUSTOM HOMES, INC., AN ALABAMA CORPORATION, by deed dated 09/18/03 and recorded 09/23/03 as Deed Instrument No. 2003092300064031 of official records.

APN:095160002012000

PREPARED BY & RETURN TO:  
ENTITLE DIRECT  
200 CORPORATE CENTER DRIVE  
SUITE 200  
MOON TOWNSHIP, PA 15108