

UPON RECORDING PLEASE RETURN TO:

**National Bank of Commerce f/k/a Red Mountain Bank, N.A.**  
**Attn: Lane Mitchell**  
**P. O. Box 381748**  
**Birmingham, AL 35238**

**SUBORDINATION AGREEMENT**

This Subordination of Mortgage is executed this 28 day of June, 2012 by  
**NATIONAL BANK OF COMMERCE F/K/A RED MOUNTAIN BANK, N.A..**

**Witnesseth**

WHEREAS, **NATIONAL BANK OF COMMERCE** is the owner and holder of that certain mortgage in the amount of **EIGHTY NINE THOUSAND FOUR HUNDRED 00/100 U.S. DOLLARS (\$89,400.00)** from **HAROLD P WHATLEY II (WHO IS THE SAME AS HAROLD PRINCE WHATLEY II) AND HOLLY ELLIS WHATLEY, a married couple;** recorded on **October 18, 2011** in Instrument #20111018000310460 in the Probate Office of **Shelby County, Alabama**, thence a **Modification of Mortgage in the amount of FORTY FOUR THOUSAND SEVEN HUNDRED 00/100 U.S. DOLLARS (\$44,700.00)** further amended and recorded on 12<sup>th</sup>, day of July 2012 in instrument #20120712000249380 in the Probate Office of said property being more particularly described as follows:

**Lot 35, according to the 1<sup>st</sup> Amended Map of Greystone Farms Milner's Crescent Sector-Phase 1, as recorded in Map Book 19, Page 140, in the Probate Office of Shelby County, Alabama.**

WHEREAS, **MCGOWIN KING MORTGAGE LLC** has made a mortgage loan in the amount of **TWO HUNDRED SIXTY ONE THOUSAND THREE HUNDRED U.S. Dollars (\$261,300.00)** to **HAROLD P WHATLEY II (WHO IS THE SAME AS HAROLD PRINCE WHATLEY II) AND HOLLY ELLIS WHATLEY, a married couple** recorded on July 12, 2012 in Instrument Number 20120712000249380 in the Probate Office of **SHELBY County, Alabama**, said loan secured by a mortgage which encumbers the above described real property.

WHEREAS, **MCGOWIN KING MORTGAGE LLC** as a condition for making a first mortgage loan requires **NATIONAL BANK OF COMMERCE** to subordinate the lien of its mortgage to the lien of **MCGOWIN KING MORTGAGE LLC and NATIONAL BANK OF COMMERCE** 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** does hereby covenant, consent and agree to and with **MCGOWIN KING MORTGAGE LLC** that the lien of **NATIONAL BANK OF COMMERCE** shall be and the same is hereby made subordinate, inferior and subject in every respect to the lien of **MCGOWIN KING MORTGAGE LLC**, which encumbers the above described property provided, however, that the subordination is limited to the amount of **FORTY FOUR THOUSAND SEVEN HUNDRED 00/100 U.S. DOLLARS (\$44,700.00).**

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**

Lauren Dobson  
By: Lauren Dobson  
Its: Assistant Vice President &  
Branch Manager

STATE OF ALABAMA )  
SHELBY COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **LAUREN DOBSON, ASSISTANT VICE PRESIDENT & BRANCH MANAGER 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 28<sup>th</sup> day of June, 2012

Notary Public: Deanna L. King

Notary Name:

My Commission expires:

MY COMMISSION EXPIRES  
NOV 9, 2013