

SUBORDINATION AGREEMENT

Pursuant to the terms of the said mortgage entered into by and between James Patrick Tate and Amy Tate, husband and wife, to Superior Bank, dated June 22, 2007, and recorded July 17, 2007, in Instrument 20070717000334550 of the public records of Shelby County, Alabama, given to secure the original principal sum of \$61,500.00;

CADENCE BANK, N.A., a national banking association (successor by way of merger to SUPERIOR BANK, N.A., a national banking association (as purchaser and assignee from the FEDERAL DEPOSIT INSURANCE CORPORATION, as receiver of SUPERIOR BANK, a federal savings bank, pursuant to that certain Purchase and Assumption Agreement dated as of April 15, 2011), does hereby declare said mortgage dated June 22, 2007, recording information as noted in Paragraph above, to be second and subordinate to the lien of the mortgage given by James Patrick Tate and Amy Tate to SouthPoint Bank, the amount of said mortgage being Two Hundred Forty-Six Thousand and no/100 Dollars (\$246,000.00), dated July 31, 2012.

Said Mortgage encumbering certain real estate property described as:

Lot 201, according to the Final Plat of Lakewood, Phase 2, as recorded in Map Book 35, Page 42, in the Probate Office of Shelby County, Alabama.

In witness whereof, this Subordination Agreement has been executed on this 23 day of July, 2012.

CADENCE BANK, N.A., a national banking association (successor by way of merger to SUPERIOR BANK, N.A., a national banking association (as purchaser and assignee from the FEDERAL DEPOSIT INSURANCE CORPORATION, as receiver of SUPERIOR BANK, a federal savings bank, pursuant to that certain Purchase and Assumption Agreement dated as of April 15, 2011)

By John Herzog  
Name: JOHN HERZOG  
Its: SENIOR V.P.

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public, in and for said county, in said state, hereby certify that John Herzog, whose name as Senior VP of Cadence Bank, N.A., a national banking association, is signed to the foregoing agreement and who is known to me, acknowledged before me that being informed of the contents of the above and foregoing agreement, (s)he, in his/her capacity as such officer, executed the same voluntarily for and as the act of said Cadence Bank, N.A..

Given under my hand this 23 day of July, 2012.

Sherry J. Hayes  
NOTARY PUBLIC  
My commission expires: May 11, 2014

Prepared by:  
Jul Ann McLeod, Esq.  
1957 Hoover Court, Suite 306  
Birmingham AL 35226

