



20121015000394960 1/4 \$21.00  
Shelby Cnty Judge of Probate, AL  
10/15/2012 11:48:59 AM FILED/CERT

This instrument was prepared by:  
Green Tree Servicing LLC

~~When Recorded return to:~~  
~~Green Tree Servicing LLC~~  
Mortgage Amendments Department  
7360 South Kyrene Road T316  
Tempe, AZ 85283

*Return to:*  
**NationalLink**  
300 Corporate Center Dr.  
Suite 300  
Moon Township, PA 15108 *4/2*

### SUBORDINATION OF MORTGAGE

Acct# 89877697

MERS Phone 1-888-679-6377  
MIN# 100393220074979722

**Subordination Agreement is null and void if: Not recorded within 90 days of acknowledgment date, corrections or changes are made or aforementioned subordination conditions are not met.**

WHEREAS, Mortgage Electronic Registration Systems, Inc. ("MERS"), which is acting solely as nominee for the Lender, Capital One Home Loans, LLC, and whose address is P.O. Box 2026, Flint, MI 48501-2026, and holder of a mortgage in the amount of \$58,850.00 dated September 24, 2007 and recorded October 18, 2007, as Instrument No. 20071018000484760, Book N/A, Page N/A, hereinafter referred to as "Existing Mortgage", on the following described property,

Property Description:

**THE FOLLOWING DESCRIBED REAL ESTATE, SITUATED IN SHELBY COUNTY, ALABAMA, TO WIT:  
LOT 44, ACCORDING TO THE SURVEY OF EAGLE POINT, 12 SECTOR, PHASE III, AS RECORDED IN MAP  
BOOK 24, PAGE 102, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; BEING SITUATED IN  
SHELBY COUNTY, ALABAMA.**

**TAX ID #: 09-3-05-0-007-003.000**

**BY FEE SIMPLE DEED FROM JAMES CAMERON ROBERSON II AS SET FORTH IN INSTRUMENT NO.  
20060413000171750 AND RECORDED ON 4/13/2006, SHELBY COUNTY RECORDS.**

**THE SOURCE DEED AS STATED ABOVE IS THE LAST RECORD OF VESTING FILED FOR THIS PROPERTY.  
THERE HAVE BEEN NO VESTING CHANGES SINCE THE DATE OF THE ABOVE REFERENCED SOURCE.**

Property Address: 1256 Eagle Park Rd Birmingham AL 35242

WHEREAS, Green Tree Servicing LLC is the investor, hereinafter referred to as "Investor," for the note that is secured by the Existing Mortgage;

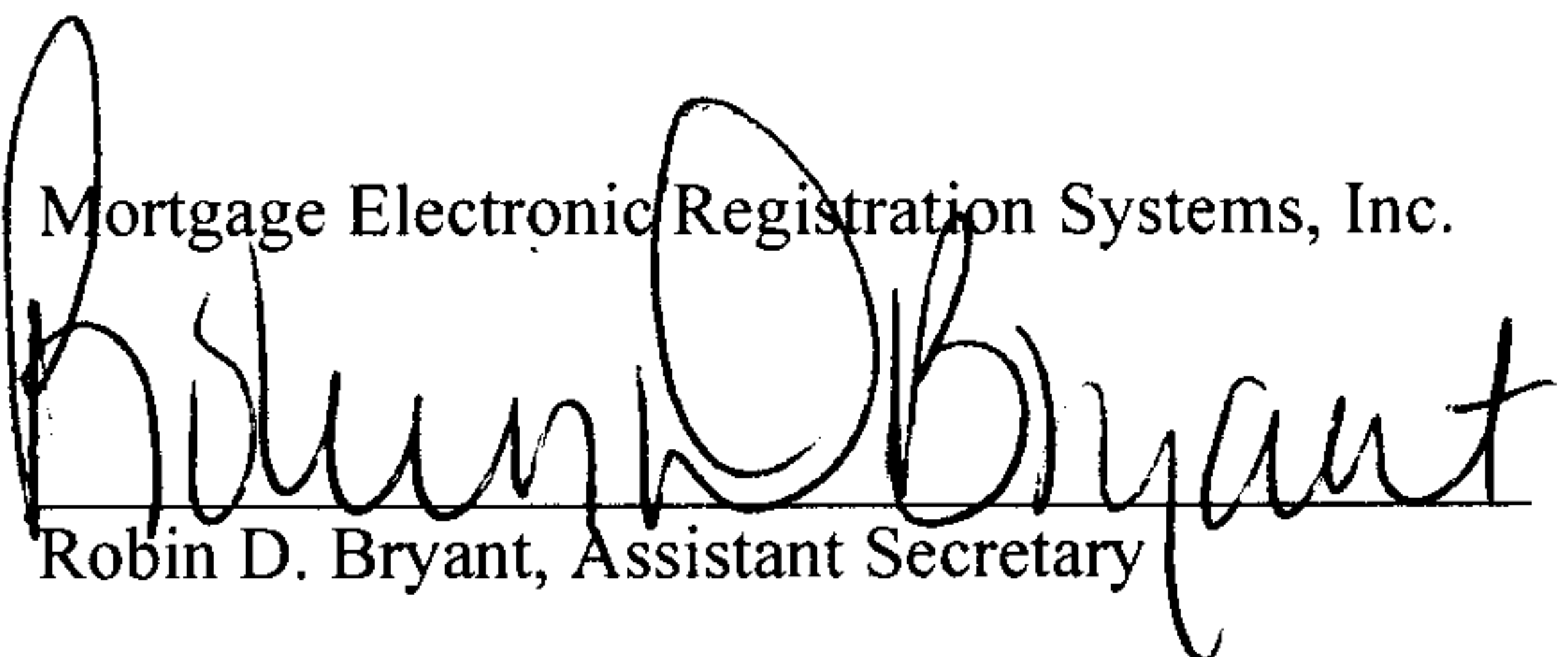
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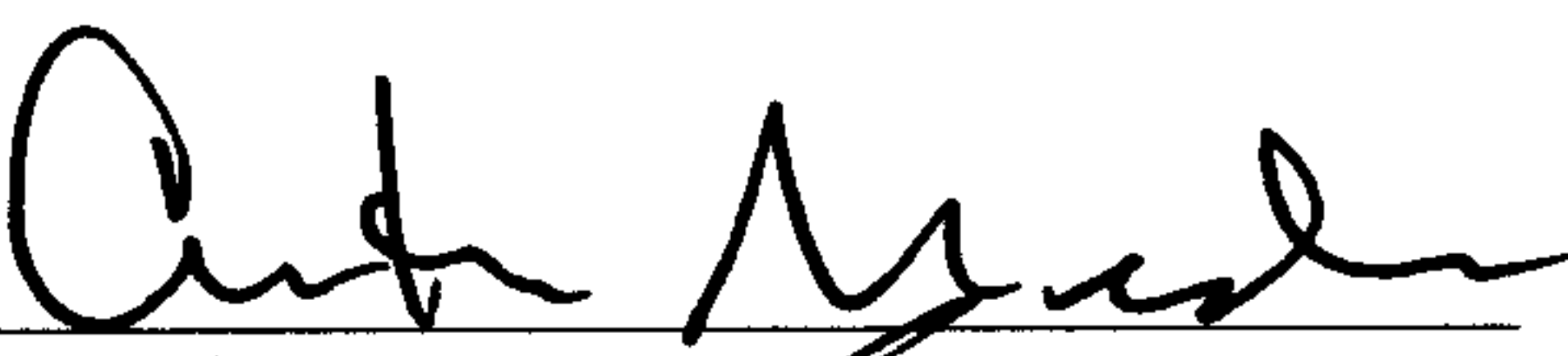

WHEREAS, Mary Ida Angwin. A Married Woman and David Jay Angwin , as owner(s) (the "Owners") of said property desire to refinance the first lien on said property;

WHEREAS, it is necessary that the new lien to PNC Mortgage, a division of PNC Bank, N.A., its successors and/or assigns, which secures a note in the amount not to exceed Two Hundred Twenty Five Thousand Dollars and 00/100 (\$225,000.00), hereinafter referred to as "New Mortgage", be a first lien on the premises in question,

WHEREAS, MERS and the Investor are willing to subordinate the lien of the Existing Mortgage to the lien of the New Mortgage **with the condition that there are no funds from the closing disbursed to the Owners;**

NOW THEREFORE, in consideration of the promises and other good and valuable consideration, the receipt of which is hereby acknowledged, MERS and the Investor hereby subordinate the lien of the Existing Mortgage to the Lien of the New Mortgage conditioned upon the above-referenced provisions, so that the New Mortgage will be prior and superior in all respects and with regard to all funds advanced thereunder to the lien of the Existing Mortgage.

Mortgage Electronic Registration Systems, Inc.  
  
Robin D. Bryant, Assistant Secretary

  
Witness 1 Christian Medina  
  
Witness 2 Tricia Reynolds

State of Arizona }  
County of Maricopa } ss.

On the 6<sup>th</sup> day of July in the year 2012 before me, the undersigned, personally appeared Robin D. Bryant, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the City of Tempe, State of Arizona.

Notary Signature

  
John Rose



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Green Tree Servicing LLC

Stephanie Rodgers, Assistant Vice President

Witness 1 Christian Medina

Witness 2 Tricia Reynolds

State of Arizona }  
County of Maricopa} ss.

On the 6<sup>th</sup> day of July in the year 2012 before me, the undersigned, personally appeared Stephanie Rodgers, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the City of Tempe, State of Arizona.

Notary Signature

John Rose





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## **Exhibit "A"**

### **Legal Description**

All that certain parcel of land situated in the City of Birmingham, County of Shelby, State of Alabama, being known and designated as follows:

Lot 44, according to the Survey of Eagle Point, 12th Sector, Phase III, as recorded in Map Book 24, Page 102, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Being the same property as conveyed from David Jay Angwin, single to Mary Ida Roberson, single, as described in Deed Inst #20091103000410000, Dated 10/09/2009, Recorded 11/03/2009, in SHELBY County Records.

Tax ID: 09-3-05-0-007-003.000