

20121109000432280 1/4 \$21.00  
Shelby Cnty Judge of Probate, AL  
11/09/2012 12:23:10 PM FILED/CERT

This instrument was prepared by:

Green Tree Servicing LLC

7360 South Kyrene Rd. Tempe, AZ 85283

Return To:

LSI-LPS

East Recording Solutions

700 Cherrington Parkway

Coraopolis, PA 15108

14790387

### SUBORDINATION OF MORTGAGE

Acct# 68040392

MERS Phone 1-888-679-6377

MIN# 100133700020746445

**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, Countrywide Bank, FSB., and whose address is P.O. Box 2026, Flint, MI 48501-2026, and holder of a mortgage in the amount of \$53,000.00 dated March 20, 2007 and recorded April 4, 2007, as Instrument No. 20070404000152820, Book NA, Page NA, hereinafter referred to as "Existing Mortgage", on the following described property,

Property Description:

**LOT 1312A, ACCORDING TO THE SURVEY OF OLD CAHABA IV, FIRST ADDITION AND SECOND ADDITION, PHASE ONE LAKE ACCESS, AS RECORDED IN MAP BOOK 34, PAGE 104, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.**

**AND**

**LOT 1312 ACCORDING TO THE SURVEY OF OLD CAHABA PHASE IV AS RECORDED IN MAP BOOK 33 AT PAGE 80 IN THE OFFICE OF THE JUDGE OF PROBATE OF SHELBY COUNTY, ALABAMA.**

**SUBJECT TO:**

**MATTERS SHOWN ON RECORDED MAP BOOK 2004, PAGE 5327**

**RESTRICTIONS APPEARING OF RECORD IN BOOK 2004 PAGE 5327**

**EASEMENTS TO ALLTEL COMM INC. RECORDED IN BOOK 2003 PAGE 10209**

**EASEMENTS TO ALABAMA POWER COMPANY RECORDED IN BOOK 41 PAGE 587**

**EASEMENTS TO ST. CLAIR COUNTY RECORDED IN BOOK 52 PAGE 467**

**EASEMENT TO AT&T RECORDED IN BOOK 26A AT PAGE 40**

RIGHTS OF OTHERS FOR INGRESS AND EGRESS PURPOSES IN AND TO THE USE OF 60  
FOOT EASEMENT LOCATED ON INSURED PREMISES AS RECORDED IN BOOK 2002 PAGE  
8599.

APN: 134201011009000

Property Address: 947 Old Cahaba Drive, Helena, Alabama 35080-7078

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

WHEREAS, Lisa K. Toole, and Kent E. Toole, Husband and Wife as Joint Tenants with Right of Survivorship, 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 Bank of America, N.A., its successors and/or assigns, which secures  
a note in the amount not to exceed One hundred forty-two thousand Dollars and 00/100 (\$142,000.00), 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.


  
Stephanie Rodgers Assistant Secretary

Witness 1

  
Bryant Armentrout

Witness 2

  
Michael J Cox

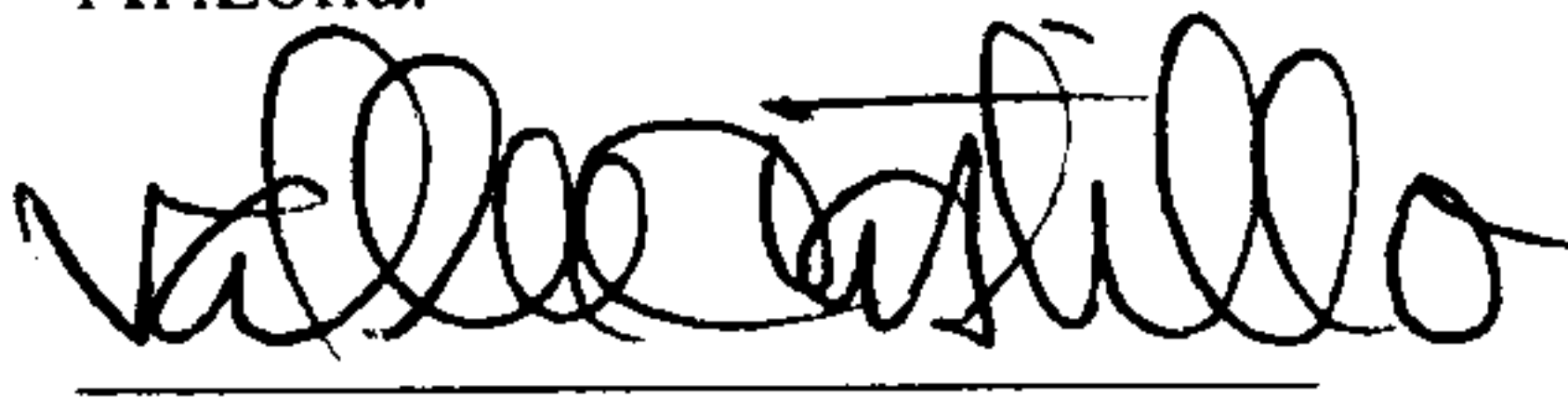
  
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State of Arizona}

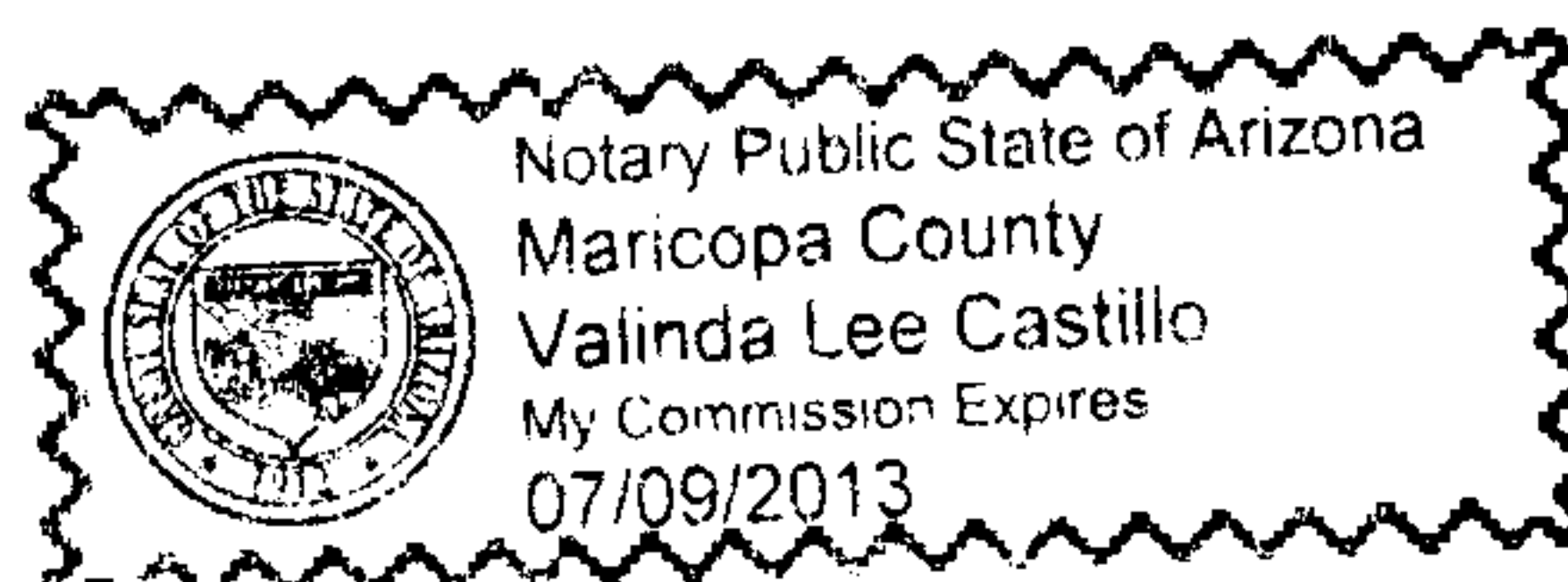
County of Maricopa} ss.

On the 5 day of Oct. 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

MERS Subordination – Mortgage





Green Tree Servicing LLC

  
Tricia Reynolds, Assistant Vice President

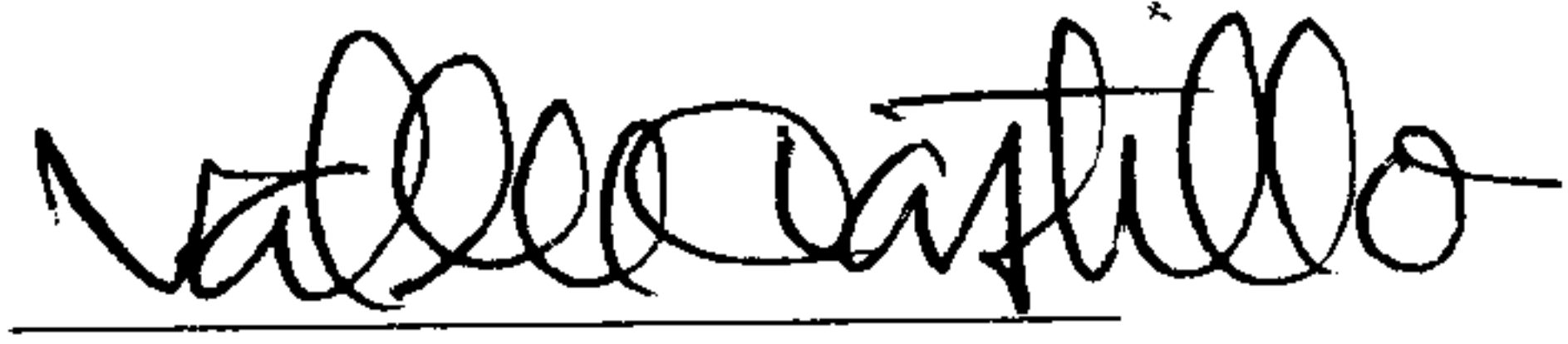
  
Witness 1 Bryent Armentrout

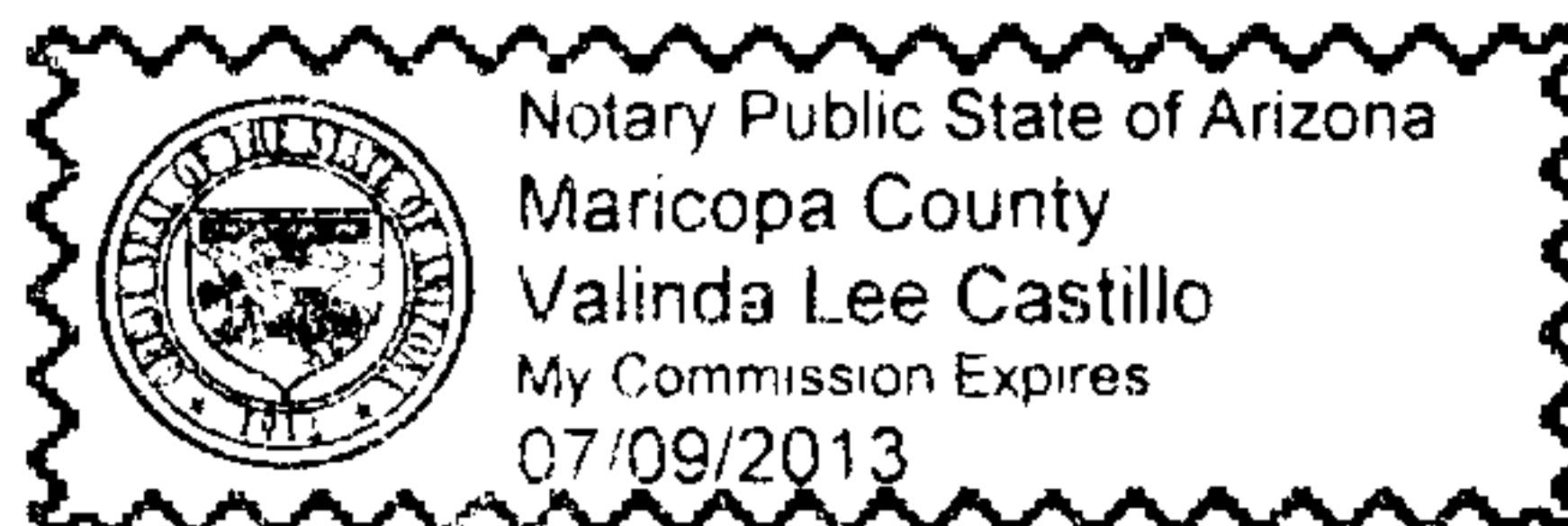
  
Witness 2 Michael J Cox


State of Arizona}  
County of Maricopa} ss.

On the 5 day of Oct. in the year 2012 before me, the undersigned, personally appeared

Tricia Reynolds, 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



  
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Order No.: **14790387**  
Loan No.: 243993954

## Exhibit A

The following described property:

All that parcel of land in County of Shelby, State of Alabama as more fully described in Document 20050926000499740 and also 20050106000007130 and being more particularly described as follows:

The following described real estate, situated in Shelby County, Alabama, to wit:

Lot 1312A, according to the Survey of Old Cahaba IV, First Addition and Second Addition, Phase One Lake Access, as recorded in Map Book 34, Page 104, in the Probate Office of Shelby County, Alabama.

and

Lot 1312 according to the Survey of Old Cahaba Phase IV as recorded in Map Book 33 at Page 80 in the Office of the Judge of Probate of Shelby County, Alabama.

Subject to:

Matters shown on recorded Map Book 2004, Page 5327

Restrictions appearing of record in Book 2004 Page 5327

Easements to Alltel Comm Inc. recorded in Book 2003 Page 10209


Easements to Alabama Power Company recorded in Book 41 at Page 587

Easements to St. Clair County recorded in Book 52 page 467

Easements to AT and T recorded in Book 26A at Page 40

Rights of others for ingress and egress purposes in and to the use of 60 foot easement located on insured premises as recorded in Book 2002 Page 8599.

Assessor's Parcel No: 134201011009000

  
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