

THIS INSTRUMENT WAS PREPARED BY:

W.N. Holmes

Address: 600 North 18th Street

Birmingham, Alabama 35291-1135

STATE OF ALABAMA

SHELBY COUNTY

Return
TO NETCO.

733 Crown Industrial Court - A
Chesterfield, MO 63005

NAL-1194837

SUBORDINATION OF RECORDED FINANCING STATEMENT

Tax ID 13-8-27-4-001-042.000

Alabama Power Company, a corporation, for good and valuable consideration, does hereby acknowledge and agree that its lien and security interest evidenced and secured by that certain UCC-1 financing statement bearing file instrument no. 20100806000252700 showing the "Debtor," **Jeffrey Mangham** (whether one or more) recorded in the office of the Judge of Probate of **Shelby County, Alabama** (the "Financing Statement"), shall be and hereby is subordinate in right of priority to the lien of that certain mortgage from the Debtor to **Village Capital & Investment, LLC** (the Mortgagee"), recorded in the office of the Judge of Probate of **Shelby County, Alabama** at 2/28 2013, Book NO 20130228000084130 Page 2430 (the "Mortgage"); provided, however, that such subordination shall be effective only to the extent that **\$148,280.00** which are expended by the Mortgagee to protect or enforce Mortgagee's rights under the Mortgage with respect to the Loan (the "Superior Indebtedness"). As used herein, the term "Superior Indebtedness" shall be deemed to include any extensions, renewals, modifications and replacements of the Superior Indebtedness and any substitutions therefore; provided, however, that the term "Superior Indebtedness" shall not include any increases in the principal amount of the Loan. Alabama Power Company's lien and security interest evidenced and secured by the Financing Statement shall be superior in right of priority to the lien of the Mortgage to the extent that the Mortgage secures any indebtedness of the Debtor to the Mortgagee other than the Superior Indebtedness. *Recorded 2/28/2013*
Doc NO: 20130228000084130

Notwithstanding anything expressed or implied herein, Alabama Power Company does not in any way release, waive or subordinate the debt relating to or secured by the Financing Statement, or any portion thereof or payments thereon.

The provisions of this Subordination Agreement are solely for the benefit of Alabama Power Company and the Mortgagee, and shall not be deemed to modify any of the agreements executed or delivered in connection with the Financing Statement or the Mortgage or to waive any of the rights of Alabama Power Company or the Mortgagee, as the case may be, thereunder as against the Debtor, nor shall it constitute or give rise to any defense, right of offset or counterclaim by the Debtor.

IN WITNESS WHEREOF, Alabama Power Company, a corporation, has caused these presents to be executed this 7th day of February 2013.

ALABAMA POWER COMPANY

By: *W. N. Holmes*
Its: Accounting Service Manager



20130329000131630 1/3 \$20.00
Shelby Cnty Judge of Probate, AL
03/29/2013 01:09:08 PM FILED/CERT

STATE OF ALABAMA)

COUNTY OF JEFFERSON)

I, LaTonya Y. Hollins, a Notary Public in and for said County in said State, hereby certify that W.N. Holmes name as Accounting Service Manager Of Alabama Power Company, a corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, (s) he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 7th day of February, 2013.



LaTonya Y. Hollins
Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Oct 30, 2015
BONDED THRU NOTARY PUBLIC UNDERWRITERS



20130329000131630 2/3 \$20.00
Shelby Cnty Judge of Probate, AL
03/29/2013 01:09:08 PM FILED/CERT

NETCO File Number: NAL-1194837

Borrower Last Name: Mangham

**Exhibit A
Legal Description**

Lot 15, according to the survey of Navajo Hills, Sixth Sector, as recorded in Map Book 6 page 67 in the Probate Office of Shelby, Alabama; being situated in Shelby County, Alabama & a part of Lot 16, Navajo Hills, 6th Sector, as recorded in Map Book 6 page 67 in the Probate Office of Shelby County, Alabama, described as follows: Begin at the southeast corner of said Lot 16; thence run West along the North lot line 15.36 feet to a point on the edge of a concrete drive; thence turn right 102 deg. 1 min. 21 sec. and run northeast along the edge of said drive a distance of 15.4 feet to a point on the westerly right of way of Cross Path Drive; thence run South along said right of way 3.2 feet to the point of beginning.


Commonly known as: 1461 Cross Path Drive, Alabaster, AL 35007 in the County of Shelby

Parcel Number: 13-8-27-4-001-042.000

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NETCO.

**733 Crown Industrial Court - A
Chesterfield, MO 63005**

877-776-3826


20130329000131630 3/3 \$20.00
Shelby Cnty Judge of Probate, AL
03/29/2013 01:09:08 PM FILED/CERT