

THIS INSTRUMENT WAS PREPARED BY:

W.N. Holmes

Address: 600 North 18th Street
Birmingham, Alabama 35291-1135

Return to:



20130813000330400 1/3 \$20.00
Shelby Cnty Judge of Probate, AL
08/13/2013 02:18:19 PM FILED/CERT

STATE OF ALABAMA
SHELBY COUNTY

National Title Network Inc
4033 Tampa Rd, Ste 103
Oldsmar, FL 34677

SUBORDINATION OF RECORDED FINANCING STATEMENT

231289

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 UCC1 financing statement bearing file instrument no. 20130521000207910 showing the "Debtor,"

Charles B & Rhonda K Beale (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 **Amerigroup Mortgage Corporation** (the Mortgagee"), recorded in the office of the Judge of Probate of **Shelby County**,

Alabama at 7/19/2013, Book ~~119~~ *231289* Page 1 (the "Mortgage"); provided, however, that such subordination shall be effective only to the extent that **\$153,305.00** 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.

** 20130719000294490*

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 9th day of July, 2013.

ALABAMA POWER COMPANY

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

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 9th day of July, 2013.



LaTonya Y. Hollins
Notary Public

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



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FIDELITY NATIONAL TITLE INSURANCE COMPANY 800-943-1196

Title No NTN-234289

LEGAL DESCRIPTION

EXHIBIT "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF SHELBY, STATE OF Alabama, AND IS DESCRIBED AS FOLLOWS:

FOR A POINT OF BEGINNING, COMMENCE AT THE INTERSECTION OF THE WEST LINE OF THE NORTHWEST QUARTER OF SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 21 SOUTH, RANGE 1 WEST AND THE NORTH RIGHT OF WAY LINE OF THE COLUMBIANA-CHELSEA PAVED HIGHWAY (DESIGNATED AS PROJECT SACP 440); RUN THENCE IN A SOUTHEASTERLY DIRECTION ALONG THE CURVE OF SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 375 FEET TO THE SOUTH RIGHT OF WAY LINE OF A PRIVATE ROAD, WHICH IS THE POINT OF BEGINNING OF THE LANDS HEREIN CONVEYED; THENCE RUN EASTERLY 670 FEET ALONG THE SOUTH RIGHT OF WAY LINE OF SAID PRIVATE ROAD TO A POINT 1055 FEET SOUTH OF THE NORTH LINE OF SAID QUARTER-QUARTER SECTION; THENCE CONTINUE TO RUN EASTERLY ALONG AN EXTENSION OF SAID 6870 FOOT LINE FOR A FURTHER DISTANCE OF 134 FEET MAKING A TOTAL OF 804 FEET EASTERLY FROM SAID POINT OF BEGINNING; THENCE RUN SOUTHERLY 325 FEET, MORE OR LESS, TO THE SOUTH-LINE OF SAID QUARTER-QUARTER SECTION; THENCE RUN WEST ALONG SAID SOUTH LINE OF SAID QUARTER-QUARTER SECTION 804 FEET MORE OR LESS, TO THE SAID NORTH RIGHT OF WAY LINE OF THE COLUMBIANA-CHELSEA PAVED HIGHWAY; THENCE RUN NORTHWESTERLY ALONG SAID NORTH HIGHWAY RIGHT OF WAY LINE 325 FEET, MORE OR LESS TO THE SAID POINT OF BEGINNING, SITUATED IN NORTHWEST 1/4 OF SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 21 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA; SUBJECT, HOWEVER, TO EASEMENTS OF RECORD AND APPARENT EASEMENTS AND ENCROACHMENTS.

ALSO, THE USE AND ENJOYMENT IN COMMON WITH THE GRANTORS, THEIR HEIRS AND ASSIGNS, OF A ROAD RIGHT OF WAY 50 FEET WIDE AND LYING NORTH OF AND ADJACENT TO THE NORTH LINE OF THE ABOVE DESCRIBED PREMISES AND SOUTH OF AND ADJACENT TO THE SOUTH LINE OF LANDS HERETOFORE CONVEYED TO THE GRANTORS TO LEON KELLY BY DEED DATED APRIL 6, 1970.

Parcel ID: 21 6 14 0 000 012.000

Commonly known as 1050 Chelsea Road, Columbiana, AL 35051
However, by showing this address no additional coverage is provided



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