


THIS INSTRUMENT WAS PREPARED BY:  
Steven T. Marlowe

Alabama Power Company

600 18<sup>th</sup> Street North  
Street

Birmingham, Alabama 35203  
City/ State/ Zip Code

  
20140115000013800 1/3 \$21.00  
Shelby Cnty Judge of Probate, AL  
01/15/2014 11:04:20 AM FILED/CERT

STATE OF ALABAMA )

COUNTY OF \_\_\_\_\_ SHELBY )

### SUBORDINATION OF RECORDED FINANCING STATEMENT (APCO)

Alabama Power Company, an Alabama corporation ("APCO"), for good and valuable consideration, hereby acknowledges and agrees that its lien and security interest evidenced and secured by that certain UCC-1 financing statement bearing file number 2011118000350390 showing Robin Haut and Heath Haut as Debtor (the "Debtor," 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 PHH Mortgage Corporation (the "Mortgagee"), recorded in the office of the Judge of Shelby County, Alabama at \_\_\_\_\_ Book \*, Page \* (the "Mortgage"); provided, however, that such subordination shall be effective only to the extent that the Mortgage secures that certain loan from Mortgagee to Debtor in a principal amount not to exceed \$92,589.72 (the "Loan"), together with interest on the Loan and any amounts specifically secured by the Mortgage 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 in this Subordination, the term "Superior Indebtedness" includes any extensions, renewals, modifications and replacements of or substitutions for the Superior Indebtedness; however, the term "Superior Indebtedness" does not include any increases in the principal amount of the Loan. APCO'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.

Notwithstanding anything expressed or implied herein, APCO does not in any way release, waive or subordinate the debt relating to or secured by the Financing Statement, or any portion of that debt or payments on it.

The provisions of this Subordination Agreement are solely for the benefit of APCO and the Mortgagee, and shall not modify any of the agreements executed or delivered in connection with the Financing Statement or the Mortgage or waive any of the rights of APCO or the Mortgagee, as the case may be, 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, an Alabama corporation, has caused these presents to be executed this 11th day of December, 2013.

\* 20140115000013790



ALABAMA POWER COMPANY

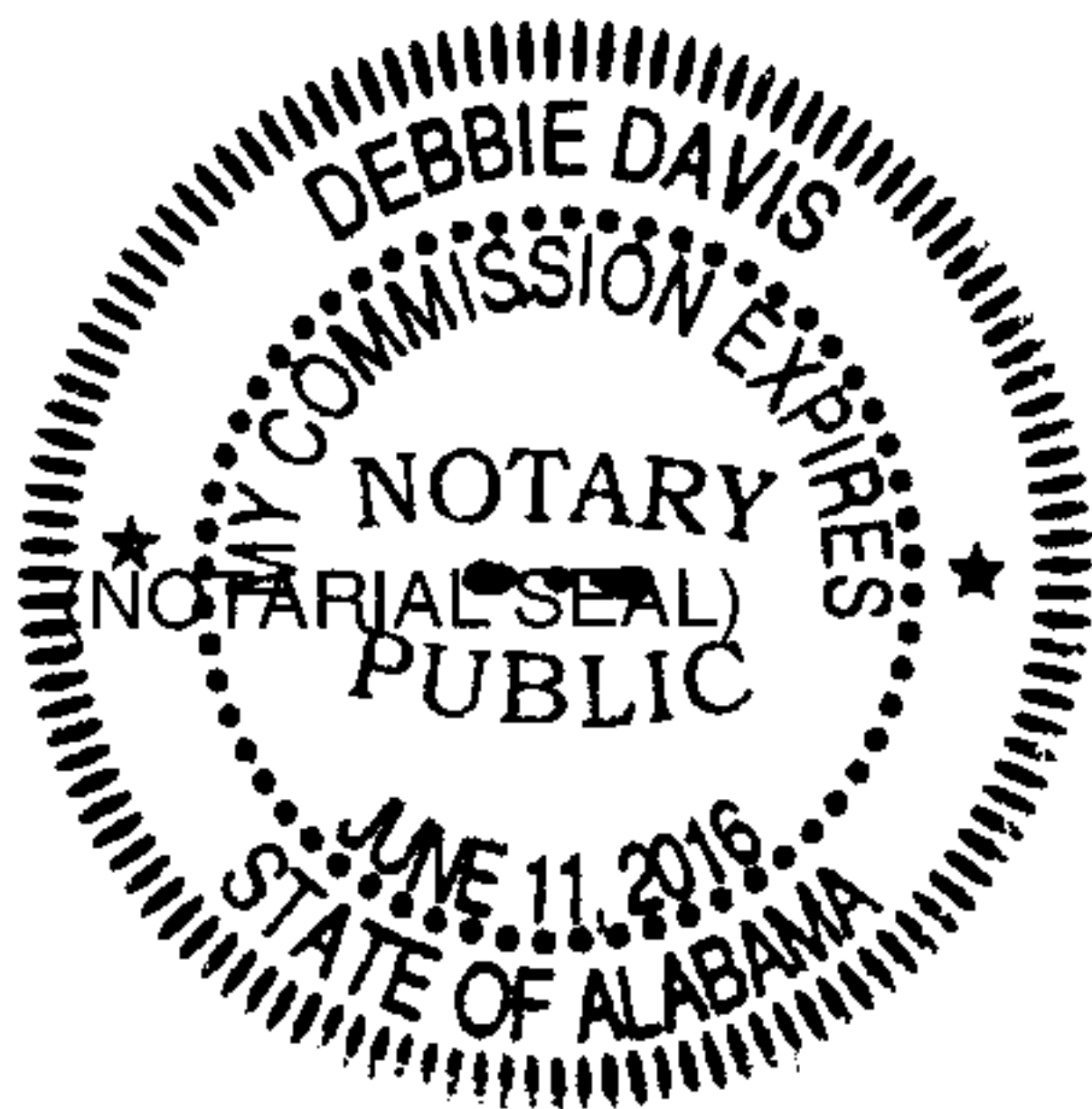
Steven T. Marlowe

By \_\_\_\_\_ Steven T. Marlowe  
Its \_\_\_\_\_ Business Office Manager

STATE OF ALABAMA )  
COUNTY OF TALLADEGA )

I, Debbie Davis, a Notary Public in and for said County in said State, hereby certify that Steven T. Marlowe, whose name as Business Office Manager of Alabama Power Company, a state banking 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.

Give under my hand this the 11<sup>th</sup> day of December, 2013.



Debbie Davis  
Notary Public  
My Commission Expires: 6-11-16

20140115000013800 2/3 \$21.00  
Shelby Cnty Judge of Probate, AL  
01/15/2014 11:04:20 AM FILED/CERT

**Exhibit A**


**Address:** 575 McBrayer Drive  
Vincent, AL 35178

**LEGAL DESCRIPTION**

**PARCEL 1: BEGIN AT THE NW CORNER OF LOT 16 OF VINCENT ESTATES AS RECORDED IN MAP BOOK 8, AT PAGE 144, IN THE OFFICE OF THE JUDGE OF PROBATE, SHELBY COUNTY, ALABAMA; THENCE SOUTH 00 DEGREES 28 MINUTES 23 SECONDS WEST 323.67 FEET; THENCE SOUTH 69 DEGREES 30 MINUTES 28 SECONDS EAST 224.32 FEET TO MCBRAYER DRIVE; THENCE ALONG SAID ROAD NORTH 28 DEGREES 36 MINUTES 24 SECONDS EAST 105.90 FEET; THENCE CONTINUE ALONG SAID ROAD NORTH 28 DEGREES 47 MINUTES 10 SECONDS EAST 158.47 FEET; THENCE LEAVING SAID ROAD NORTH 63 DEGREES 00 MINUTES 44 SECONDS WEST 375.34 FEET TO THE POINT OF BEGINNING. ACCORDING TO THE SURVEY OF MICHAEL G. MOATES, DATED AUGUST 18, 2004.**

**PARCEL ID#: 07-1-02-0-001-011.014**

**Purported Address: 575 McBrayer Drive, Vincent AL 35178**

  
20140115000013800 3/3 \$21.00  
Shelby Cnty Judge of Probate, AL  
01/15/2014 11:04:20 AM FILED/CERT