

THIS INSTRUMENT WAS PREPARED BY:

W.N. Holmes

Address: 600 North 18th Street

Birmingham, Alabama 35291-1135

STATE OF ALABAMA

SHELBY COUNTY

20140128000026720 01/28/2014 08:59:50 AM

SUBAGREM 1/3

SUBORDINATION OF RECORDED FINANCING STATEMENT

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. 20111021000314800 showing the "Debtor," Kelly J Wehby and Mary C Wehby (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 Bank Of America, NA (the "Mortgagee"), recorded in the office of the Judge of Probate of Shelby County, Alabama at 1/27 2014, Book X Page _____ (the "Mortgage"); provided, however, that such subordination shall be effective only to the extent that \$272,000.00 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. **201401270000 26590*

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 16th day of December, 2013.

ALABAMA POWER COMPANY

By: *W.N. Holmes*

Its: Accounting Service Manager

STATE OF ALABAMA) 20140128000026720 01/28/2014 08:59:50 AM
) SUBAGREM 2/3
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 16th day of December, 2013.



LaTonya Y. Hollins
Notary Public LATONYA Y HOLLINS

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

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SUBAGREM 3/3

Exhibit "A"


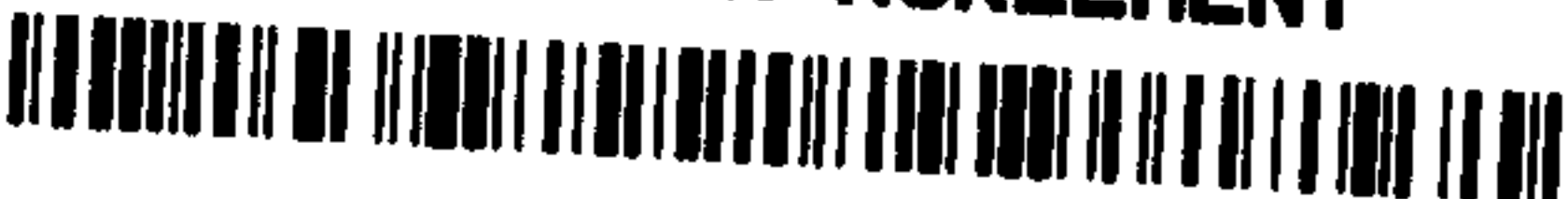
Real property in the City of **HOOVER**, County of **SHELBY**, State of **Alabama**, described as follows:

LOT 2055, ACCORDING TO THE SURVEY OF LAKE POINT ESTATES, 1ST ADDITION, AS RECORDED IN MAP BOOK 17, PAGE 14, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

Being all of that certain property conveyed to KELLY J. WEHBY AND MARY C. WEHBY, AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP from CONCEPT DEVELOPMENT COMPANY, INC., by deed dated January 26, 1996 and recorded February 02, 1996 as INSTRUMENT NO. 1996-03597 of official records.

Commonly known as: 1125 LAKE POINT CT, HOOVER, AL 35244

APN #: **11-7-35-0-001-012-057**

 **WEHBY**
48129378 **AL**
FIRST AMERICAN ELS
SUBORDINATION AGREEMENT


*WHEN RECORDED, RETURN TO:
FIRST AMERICAN TITLE INSURANCE CO.
1100 SUPERIOR AVENUE, SUITE 200
CLEVELAND, OHIO 44114
NATIONAL RECORDING*



Filed and Recorded
Official Public Records
Judge James W. Fuhrmeister, Probate Judge,
County Clerk
Shelby County, AL
01/28/2014 08:59:50 AM
\$22.00 CHERRY
20140128000026720

A handwritten signature in black ink, appearing to be "James W. Fuhrmeister", is written over the official text.