

UPON RECORDING PLEASE RETURN TO:

National Bank of Commerce f/k/a Red Mountain Bank N A

Attn: Patricia Neporadny

P. O. Box 381748

Birmingham, AL 35238

7678614 SUBORDINATION AGREEMENT

This Subordination of Mortgage is executed this 4th day of **February, 2014** by **National Bank of Commerce fka Red Mountain Bank N A**.

Witnesseth

WHEREAS, **National Bank of Commerce fka Red Mountain Bank N A** is the owner and holder of that certain mortgage in the amount of **SIXTY THOUSAND AND NO/U. S. DOLLARS (\$60,000.00)**, from **Brian G Stauss and Catherine E Stauss, husband and wife; recorded in Instrument #20060912000451780 subordinated and recorded in Instrument #20090303000075640** in the Probate Office of **Shelby County, Alabama**, said property being more particularly described as follows:

Lot 22, according to the Survey of Cahaba Oaks, as recorded in Map Book 18, page 141, in the Probate Office of Shelby County, Alabama.

WHEREAS, **EverBank** has made a mortgage loan in the amount of **TWO HUNDRED SEVENTEEN THOUSAND SEVEN HUNDRED FIFTY AND NO/100 U. S. DOLLARS (\$217,750.00)** to **Brian G Stauss and Catherine E Stauss on January 24, 2013** recorded in **Instrument #20130306000092800**, in the Probate Office of **Shelby County, Alabama**, said loan secured by a mortgage which encumbers the above described real property.

WHEREAS, **EverBank** as a condition for making a first mortgage loan requires **National Bank of Commerce fka Red Mountain Bank N A** to subordinate the lien of its mortgage to the lien of **EverBank** and **National Bank of Commerce fka Red Mountain Bank N A** has agreed to do so.

NOW THEREFORE, for and in consideration of the premises hereof and of mutual advantages and benefits accruing to the parties hereto, **National Bank of Commerce fka Red Mountain Bank N A** does hereby covenant, consent and agree to and with **EverBank** that the lien of **National Bank of Commerce fka Red Mountain Bank N A** shall be and the same is hereby made subordinate, inferior and subject in every respect to the lien of **EverBank**, which encumbers the above described property provided, however, that the subordination is limited to the amount of **TWO HUNDRED SEVENTEEN THOUSAND SEVEN HUNDRED FIFTY AND AND NO/100 U.S. Dollars (\$217,750.00)**.

Recorded 03/06/14. Inst # 20130306000092800

IN WITNESS WHEREOF, this agreement is executed the day and year first written above.

Signed, sealed and delivered in the presence of:

National Bank of Commerce

Lauren Dobson

By: **Lauren Dobson**

Its: **AVP/Branch Manager**

**STATE OF ALABAMA
SHELBYCOUNTY**

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **Lauren Dobson, AVP/Branch Manager of National Bank of Commerce f/k/a Red Mountain Bank, N.A.**, is signed to the foregoing instrument, and who is know to me, acknowledged before me on this day, that being informed of the content of said instrument, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this 4 day of **February, 2014**

Notary Public: *Deanna L. St. John*

Notary Name:

My Commission expires:

Feb 14, 2015

20140305000060320 2/2 \$22.00
Shelby Cnty Judge of Probate, AL
03/05/2014 12:46:04 PM FILED/CERT

EXHIBIT "A"



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

LOT 22, ACCORDING TO THE SURVEY OF CAHABA OAKS, AS RECORDED IN MAP BOOK 18, PAGE 141, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

Being all of that certain property conveyed to BRIAN G. STAUSS AND CATHERINE E. STAUSS, TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE STAUSS LIVING TRUST, DATED NOVEMBER 16, 2012 from BRIAN G. STAUSS AND WIFE, CATHERINE STAUSS, by deed dated NOVEMBER 16, 2012 and recorded NOVEMBER 20, 2012 AS INSTRUMENT NO. 20121120000445130 of official records.

Commonly known as: 240 CAHABA OAKS TRAIL, INDIAN SPRINGS, AL 35124

APN #: 10 8 28 0 003 022.000

 **STAUSS**
46551954 **AL**
FIRST AMERICAN ELS
SUBORDINATION AGREEMENT


*WHEN RECORDED, RETURN TO:
FIRST AMERICAN MORTGAGE SERVICES
1100 SUPERIOR AVENUE, SUITE 200
CLEVELAND, OHIO 44114
NATIONAL RECORDING*