

THIS INSTRUMENT WAS PREPARED BY:

R.D. Taylor

Address: 600 North 18th Street  
Birmingham, Alabama 35291-1135  
1-800-245-2244

20150310000073170  
03/10/2015 09:17:09 AM  
SUBAGREM 1/3

STATE OF ALABAMA  
Shelby County

SUBORDINATION OF RECORDED FINANCING STATEMENT

59883456-2863968

②

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. 20110713000203700 showing the "Debtor," **Daniel R. Bacon** (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 **Mortgage Electronic Registration Systems, Inc. as nominee for Quicken Loans Inc** (the Mortgagee"), recorded in the office of the Judge of Probate of **Shelby County**, Alabama at 3/05/15, Book n/a \* Page n/a \* (the "Mortgage"); provided, however, that such subordination shall be effective only to the extent that **\$91,550.00** 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.

\*Mortgage recorded as Instrument No.: 20150305000068940.

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 **February, 2015**.

ALABAMA POWER COMPANY

By:

*R.D. Taylor*

Its: Accounting Service Manager

STATE OF ALABAMA )

20150310000073170 03/10/2015 09:17:09 AM SUBAGREM 2/3

COUNTY OF JEFFERSON )

I, **Bari L. Thorn**, a Notary Public in and for said County in said State, hereby certify that **R.D. Taylor** 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 February 2015

Bari Thorn

Notary Public

(NOTARIAL SEAL)

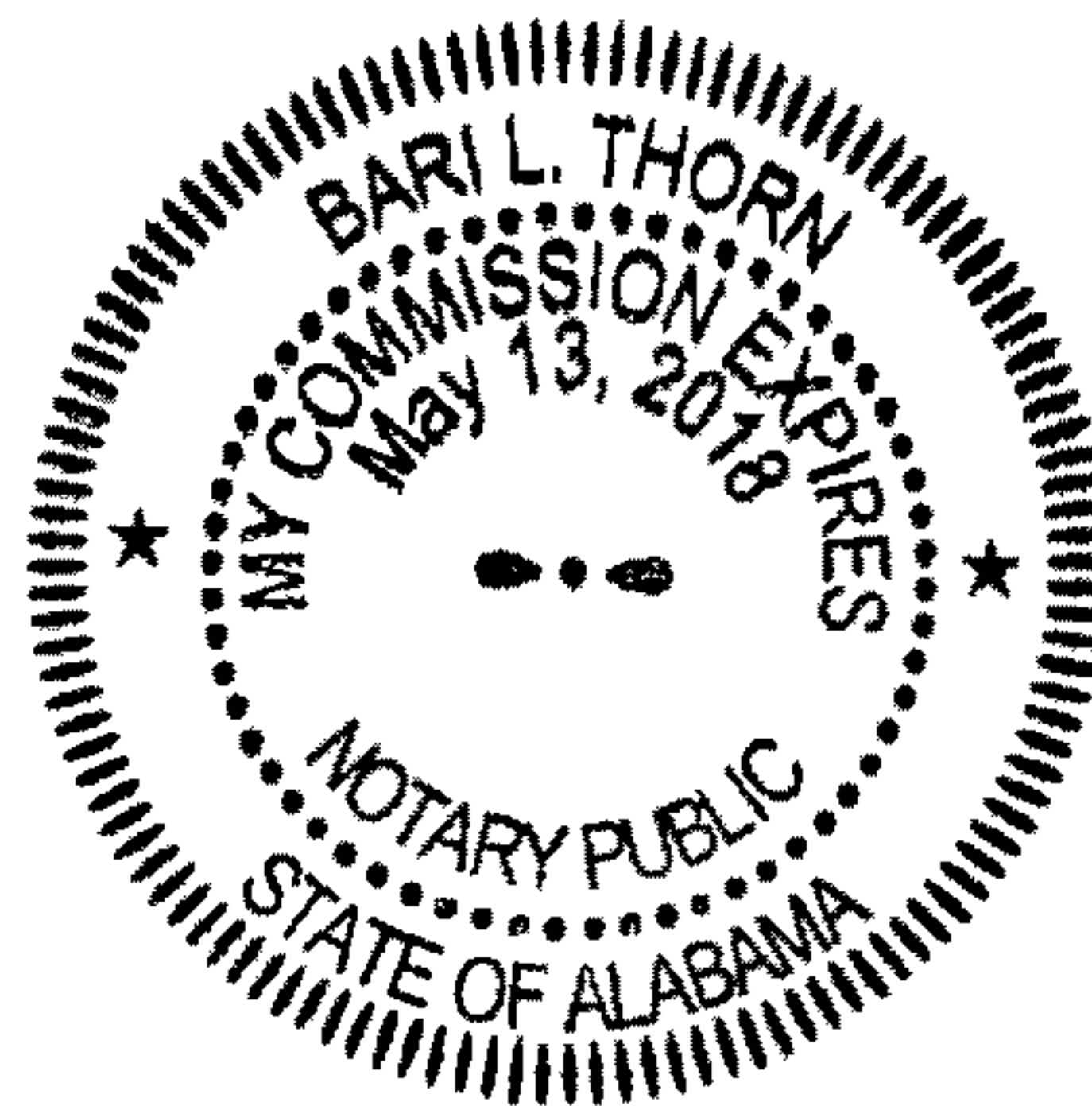


EXHIBIT A - LEGAL DESCRIPTION

Tax Id Number(s): 13 1 02 4 002 034.000, 131024002034000

Land Situated in the County of Shelby in the State of AL

LOT 34, ACCORDING TO THE SURVEY OF SOMMERSBY TOWNHOMES, AS RECORDED IN MAP BOOK 20, PAGE 112, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SOURCE OF TITLE: DEED INSTRUMENT NO 1997-34614.

Commonly known as: 167 Sommersby Cir , Pelham, AL 35124



Filed and Recorded  
Official Public Records  
Judge James W. Fuhrmeister, Probate Judge,  
County Clerk  
Shelby County, AL  
03/10/2015 09:17:09 AM  
\$21.00 CHERRY  
20150310000073170

A handwritten signature in black ink, appearing to be "James W. Fuhrmeister", is written over the printed name and title of the County Clerk.