

20160211000045290  
02/11/2016 03:41:20 PM  
SUBAGREM 1/4

Record and Return to:  
Fidelity National Title Group  
Return to: 6500 Pinecrest Drive, Suite 600  
Plano, Texas 75024

Property Tax ID#: 09-3-06-0-001-010.000  
Customer Reference Number 15-12-194FST

15-12-194

## SUBORDINATION AGREEMENT

THIS INDENTURE, made this 29<sup>th</sup> day of January, 2016 between  
Aqua Finance, Inc., hereinafter called party of the First Part, and Sun West Mortgage Company, Inc.  
ISAOA/ATIMA hereinafter called Parties of the Second Part,

**WITNESSETH**, that whereas Party of the First Part is the owner and holder of a certain Lien taken  
out by Kerry Marshall to Aqua Finance, Inc., in the original principal indebtedness of \$12,955.24, which  
Lien was recorded on 9/14/2015, in instrument number 20150914000320850, encumbering the land situate  
in the County of SHELBY, AL, described as follows:

**“SEE COMPLETE LEGAL ATTACHED  
AS EXHIBIT “A” INCLUDED HEREWITH  
AND MADE A PART HEREOF”**

PROPERTY ADDRESS: 4475 Village Green Drive, Birmingham, AL 35242

**AND WHEREAS**, Kerry Marshall, has made application to the Party of the Second Part for a loan to Sun West Mortgage Company, Inc ISAOA/ATIMA in the amount not to exceed \$166,868.00, to be secured by a First Lien encumbering the above described premises, and Party of the Second Part has required as a condition precedent to making of said loan that the Party of the First Part subordinate its lien and the lien thereof and all of its rights there under to the lien to be placed upon said premises as aforesaid, and Parties of the First Part is agreeable to such subordination.

**NOW THEREFORE**, in consideration of the sum of One Dollar (\$1.00), and other valuable consideration in hand paid by the Party of the Second Part to the Party of the First Part, receipt whereof is hereby acknowledged, and as inducement for making the aforesaid loan by the Party of the Second Part to the aforesaid Kerry Marshall, the Party of The First Part does hereby subordinate the aforesaid lien by it and the lien thereof and all of its rights and there under to the lien recorded in Official Records, Book \_\_\_\_\_, Page \_\_\_\_\_, or Document Number ~~4~~ of the Public Records of SHELBY County AL, encumbering the above described premises and does hereby covenant with the Party of the Second Part that it has not transferred or assigned the aforesaid lien held by it, nor the Promissory Note it secures, nor any interest held by it in either of said instruments, and it executed this Subordination Agreement as tenants by the entirety of the entire interest held by it in said Note and lien and declare any right or claim held by it to be subject and inferior to the Mortgage held by the Party of the Second Part and to all rights of the Party of the Second Part there under.

*\* being filed concurrently  
herewith*

IN WITNESS WHEREOF, THE PARTY OF THE FIRST PART HAS HEREUNTO SET ITS HAND AND SEAL ON THE DAY AND YEAR FIRST WRITTEN.

WITNESSES:

AQUA FINANCE, INC.

Maria Hernandez

By:

Scott J Chittum

Maria Hernandez

Its:

Sr. Vice President

PRINT NAME

Tenessa Budd

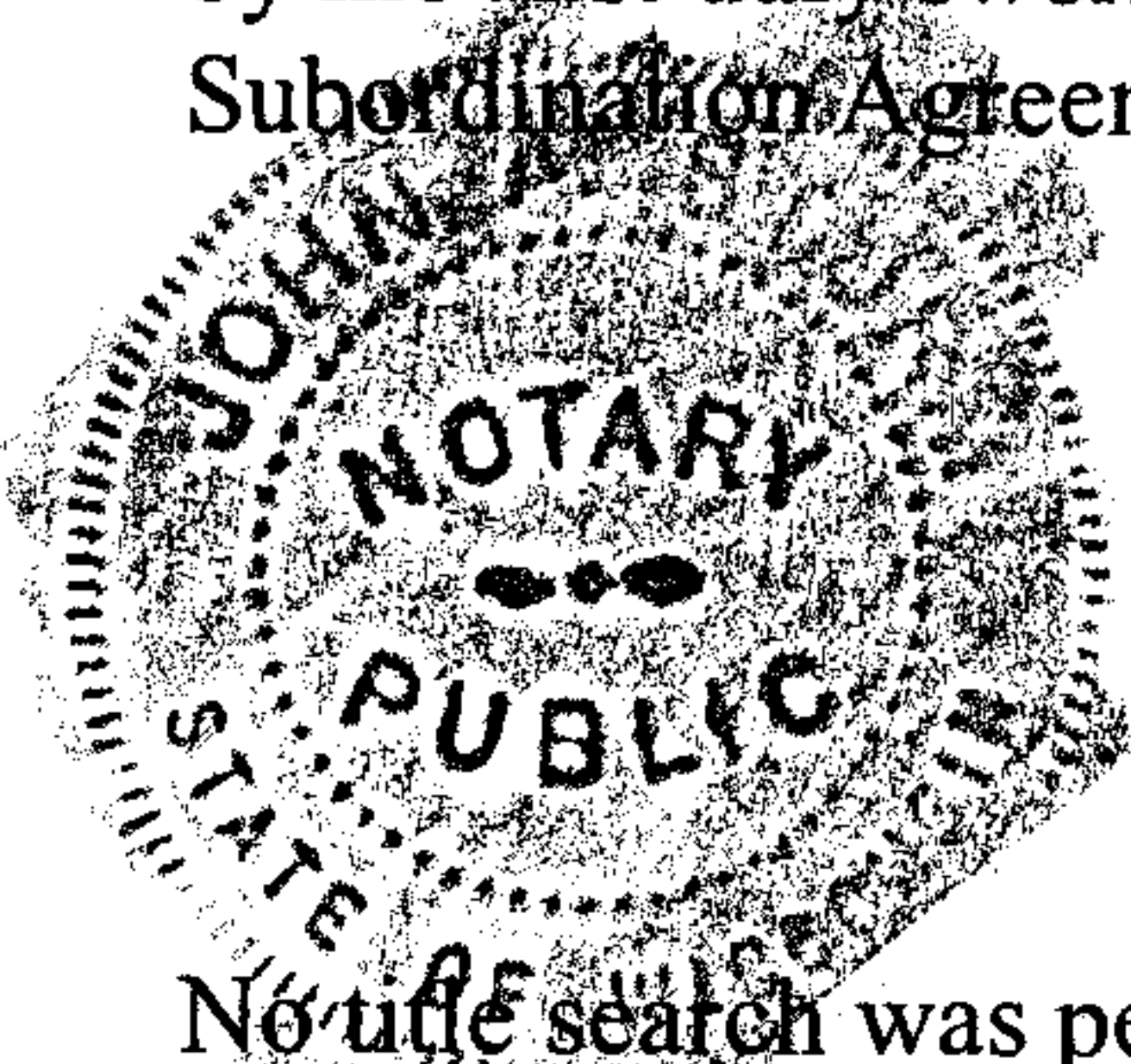
Tenessa Budd

PRINT NAME

STATE OF WISCONSIN}

COUNTY OF WAUSAU}

BEFORE ME, the undersigned authority, personally appeared Scott J Chittum, who is the Sr Vice President of Aqua Finance, Inc., appearing on behalf of said corporation, who is known to me or has shown \_\_\_\_\_ as identification, who after being by me first duly sworn, deposes and says that he/she has the full binding authority so execute this Subordination Agreement and he/she subscribed his/her name thereto in certification thereof.



John A Starn

NOTARY PUBLIC

My Commission Expires 5/29/2016

No title search was performed on the subject property by the preparer. The preparer of this deed makes neither representation as to the status of the title nor property use or any zoning regulations concerning described property herein conveyed nor any matter except the validity of the form of this instrument. Information herein was provided to preparer by Grantor/Grantee and /or their agents; no boundary survey was made at the time of this conveyance.

**Exhibit A**

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

A PART OF THE S.W.1/4 OF THE N.E.1/4 OF SECTION 6, TOWNSHIP 19 SOUTH, RANGE 1 WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE S.W. CORNER OF THE S.W.1/4 OF THE N.E. 1/4, SECTION 6, TOWNSHIP 19 SOUTH, RANGE 1 WEST, THENCE RUN NORTH ALONG THE WEST LINE OF SAID 1/4-1/4 SECTION A DISTANCE OF 100.0 FEET FOR THE POINT OF BEGINNING. THENCE CONTINUE NORTH A DISTANCE OF 416.0 FEET, THENCE RUN EAST AND PARALLEL TO THE SOUTH LINE OF SAID 1/4-1/4 SECTION FOR A DISTANCE OF 208.0 FEET, THENCE RUN SOUTH AND PARALLEL TO THE WEST LINE OF SAID 1/4-1/4 SECTION A DISTANCE OF 416.0 FEET, THENCE RUN WEST AND PARALLEL TO THE SOUTH LINE FOR A DISTANCE OF 208.0 FEET TO THE POINT OF BEGINNING.

Parcel ID: 09-3-06-0-001-010.000

Commonly known as 4475 Village Green Drive, Birmingham, AL 35242  
However, by showing this address no additional coverage is provided

Source of Title Deed Page: 726 Book: 280.



Filed and Recorded  
Official Public Records  
Judge James W. Fuhrmeister, Probate Judge,  
County Clerk  
Shelby County, AL  
02/11/2016 03:41:20 PM  
\$23.00 CHERRY  
20160211000045290

A handwritten signature in black ink, likely of the County Clerk, James W. Fuhrmeister.