

20200813000348430
08/13/2020 01:26:24 PM
SUBAGREM 1/7

**RECORDED AT THE REQUEST OF:
AND AFTER RECORDING RETURN TO:**

**MEDALLION BANK
22232 17TH AVENUE SE, SUITE 308
BOTHELL, WA 98021
M 201031 (3)**

SUBORDINATION AGREEMENT

**GRANTOR #1
(Fixture Lender): MEDALLION BANK**

**GRANTOR #2
(Owner of Property): Dawn Brasher Makofski and Jeff Alan Makofski**

**GRANTEE
(Mortgage Lender): Fairway Independent Mortgage Corp**

ABBREVIATED

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITURATED IN THE COUNTY
OF SHELBY, SATE OF AL AND IS DESCRIBED AS FOLLOWS:

Lot 354, according to the Survey of Cedar Grove at Sterling Gate Sector 2, Phase 12B, as
recorded in Map Book 39 Page 92, in the Probate Office of Shelby County, Alabama.

ASSESSOR'S TAX

PARCEL ID NUMBER(S): 23-2-03-2-005-055-000

SUBORDINATION AGREEMENT

NOTICE: THIS SUBORDINATION AGREEMENT RESULTS IN YOUR SECURITY INTEREST IN THE PROPERTY BECOMING SUBJECT TO AND OF LOWER PRIORITY THAN THE LIEN OF SOME OTHER OR LATER SECURITY INSTRUMENT.

The undersigned Owner and Fixture Lender agree as follows:

1. **Mortgage Loan.** Fairway Independent Mortgage Corp ("Mortgage Lender"), is the owner and holder of a mortgage, deed of trust or trust deed dated 8/5/2020, executed by Dawn Brasher Makofski and Jeff Alan Makofski (individually and collectively, if more than one, "**Owner**") which is recorded in the real property records of Shelby County, Alabama (the "**Mortgage**"), securing repayment of a loan from Mortgage Lender (the "**Mortgage Loan**") in the maximum principal amount of \$209,000.00. Mortgage and the promissory note and other documents relating to the Mortgage Loan are sometimes hereinafter referred to collectively as the "Mortgage Loan Documents."
2. **Fixture Loan.** Medallion Bank ("**Fixture Lender**") has made a loan to Owner which is secured by the collateral ("**Fixture Collateral**") described in a UCC Fixture Filing which is recorded or filed in the real property records of Shelby County, Alabama under Recording Number: 20191115000424630, recorded 11-15-2019 (the "**Fixture Filing**").
3. **Property.** Owner is the sole owner of the Fixtures and the real property described in the Mortgage and the Fixture Filing, which real property is identified by abbreviated legal description and parcel ID on the front page of this Agreement (the "**Property**").
4. **Subordination of Fixture Filing.** Fixture Lender agrees, for the benefit of Mortgage Lender, that: (i) its security interest in the Fixtures that are the subject of the Fixture Filing is subject and subordinate to the lien of the Mortgage and all other rights under the Mortgage Loan Documents and all advances or charges made or accruing thereunder, including any and all extensions, modifications and renewals thereof; and (ii) Fixture Lender claims no interest in the Property other than the security interest in Fixtures which is created by the Fixture Filing.
5. **Acknowledgment.** It is understood by the parties hereto that Mortgage Lender would not make the Mortgage Loan without this Agreement.
6. **Entire Agreement.** This Agreement shall be the whole and only agreement between the parties hereto with regard to the subordination granted herein and shall supersede and cancel any prior agreements as to such subordination.
7. **Successors and Assigns.** The heirs, administrators, assigns and successors in interest of the parties hereto shall be bound by this agreement.

8. Notices. All notices, demands or other communications to be given or sent pursuant to this agreement shall be delivered personally or by reputable overnight courier service, and shall be deemed given when actually received or rejected by the intended recipient.

If to Fixture Lender: Medallion Bank
1100 East 6600 South, Suite 510
Salt Lake City, Utah 84121
Attention: Subordination

If to Mortgage Lender: Fairway Independent Mortgage Corp
2007 Eagle Ridge DR
Birmingham, AL 35242

If to Owner: Dawn Brasher Makofski
Jeff Alan Makofski
320 Cromwell
Alabaster, AL 35114

Any party may change the address to which notices are to be sent to it by written notice to the other parties in the manner aforesaid.

9. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State where the Property is located.

DATED as of the 2nd day of July, 2020.

FIXTURE LENDER:

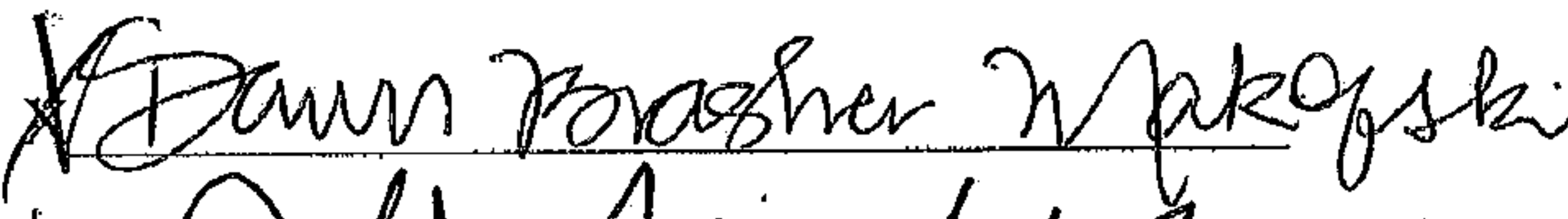

MEDALLION BANK

By: 

Name: Thomas Riddle

Title: CS Manager

OWNER:

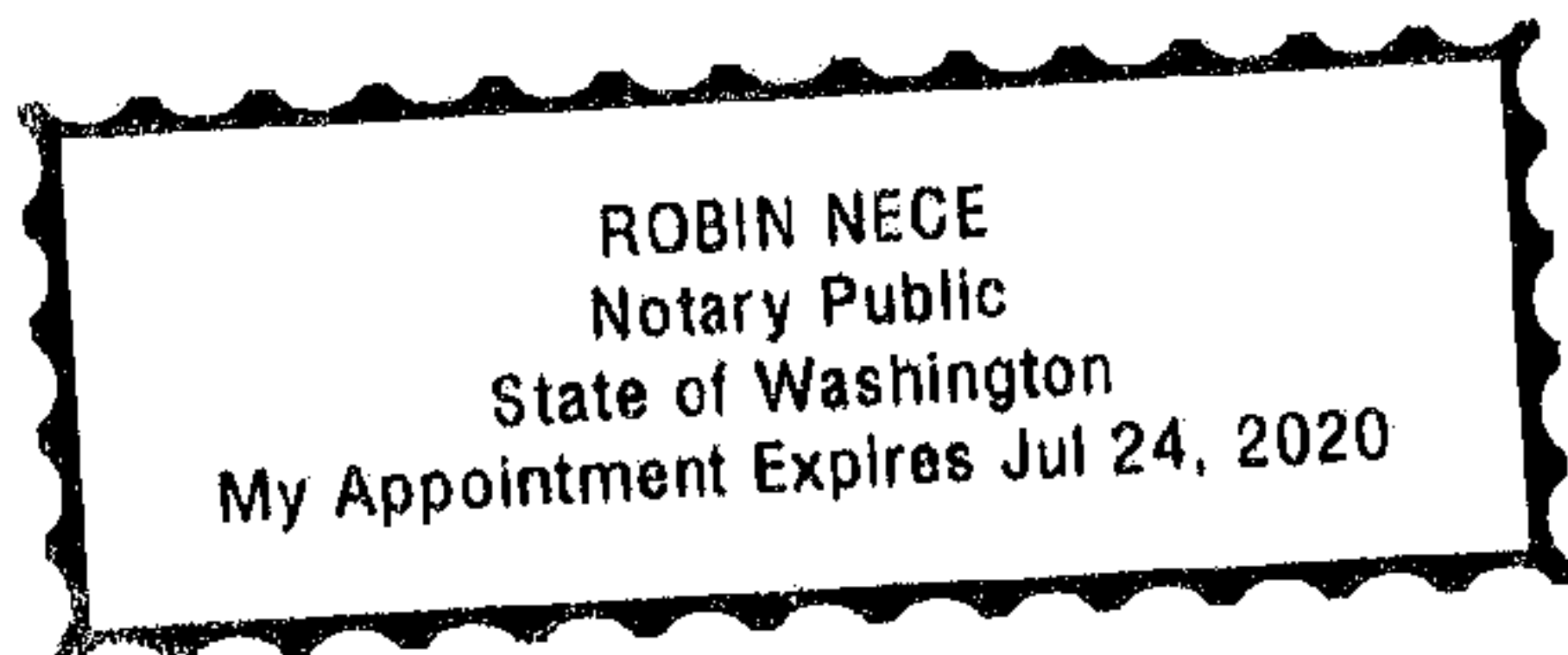
STATE OF Washington

COUNTY OF Snohomish

SS.

I certify that I know or have satisfactory evidence that Thomas Riddle is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the CS manager of MEDALLION BANK to be the free and voluntary act of such entity for the uses and purposes mentioned in the instrument.

DATED this 2nd day of July, 2020.



Robin Nece
(Signature of Notary)

Robin Nece
(Legibly Print or Stamp Name of Notary)

Notary public in and for the State of Washington,
residing at 22232 17th Ave SE, #308
Bothell, WA 98021

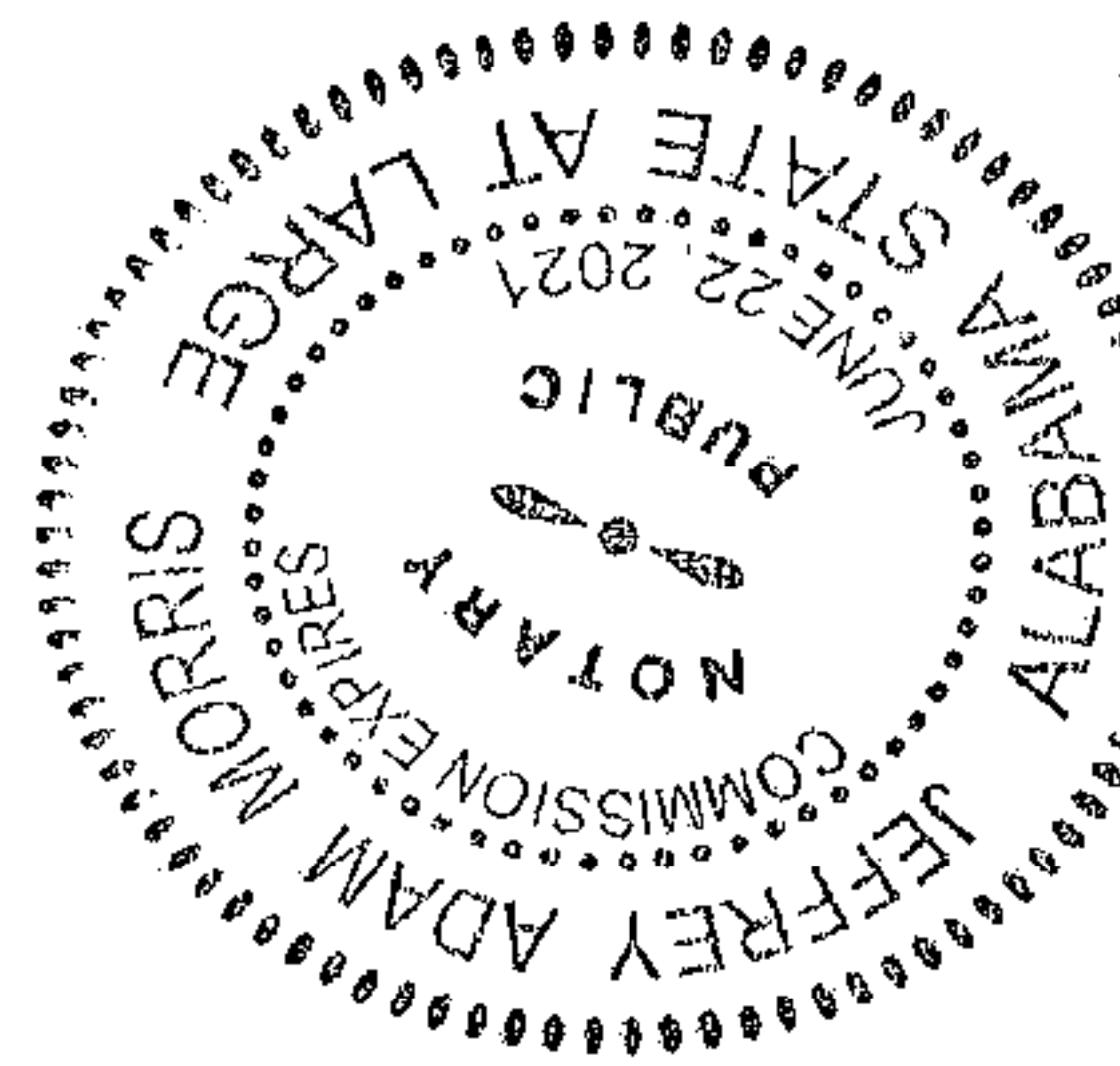
My appointment expires July 24 2020

STATE OF AL
COUNTY OF Jefferson

SS.

I certify that I know or have satisfactory evidence that Down Brasher Makofski ^{are} Jefferson Makofski is the ^{same} person who appeared before me, and said person acknowledged that said individual signed this instrument and acknowledged to be his or her free and voluntary act and deed for the uses and purposes mentioned in the instrument.

DATED this 5th day of August 2020.



(Signature of Notary)

Jeffrey Adam Morris

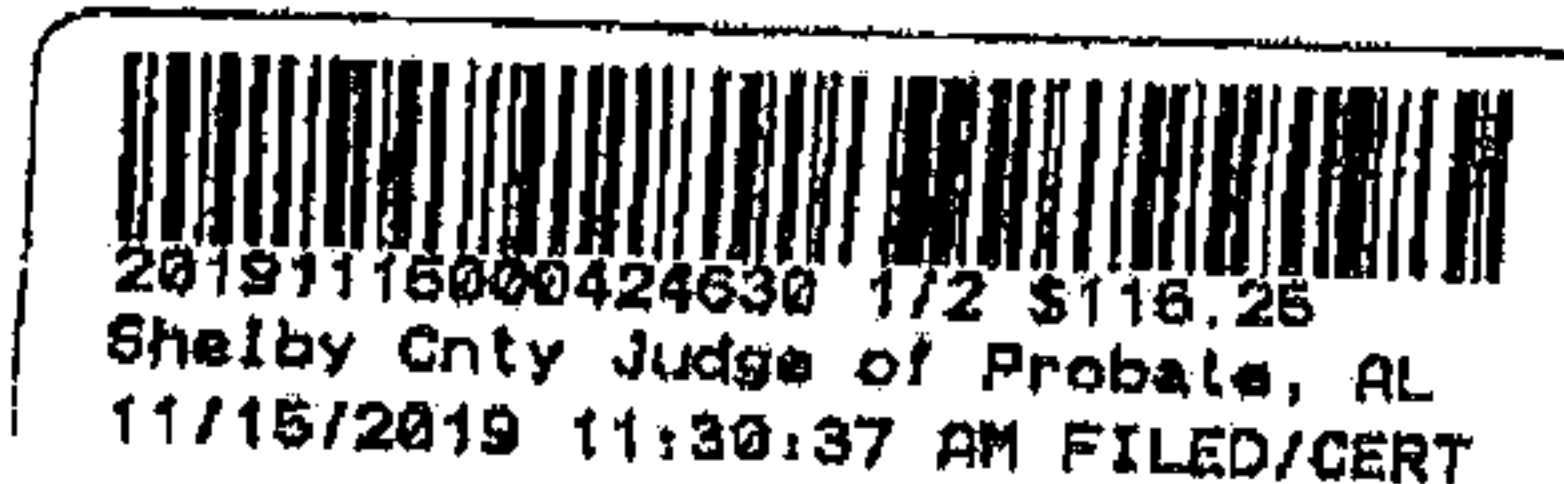
(Legibly Print or Stamp Name of Notary)

Notary public in and for the State of AL
residing at Jefferson County, AL

My appointment expires 6/22/21

UCC FINANCING STATEMENT FOLLOW INSTRUCTIONS

A. NAME & PHONE OF CONTACT AT FILER (optional)		
Connie Sorenson	(801) 747-7713	1047299
B. EMAIL CONTACT AT FILER (optional)		
csorenson@medallionbank.com		
C. SEND ACKNOWLEDGMENT TO: (Name and Address)		
MEDALLION BANK 1100 EAST 6600 SOUTH, SUITE 510 SALT LAKE CITY, UT 84121 FILED IN: SHELBY, AL		



THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S NAME - Provide only one Debtor name (1a or 1b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); if any part of the individual Debtor's name will not fit in line 1b, leave all of item 1 blank, check here ☐ and provide the individual Debtor information in item 10 of the Financing Statement Addendum (Form UCC1Ad)

1a. ORGANIZATION'S NAME				
OR				
1b. INDIVIDUAL'S SURNAME	FIRST PERSONAL NAME	ADDITIONAL NAME(S)/INITIAL(S) SUFFIX		
Makofski	Dawn			
1c. MAILING ADDRESS	CITY	STATE	POSTAL CODE	COUNTRY
320 Cromwell	Maylene	AL	35114	USA

2. DEBTOR'S NAME - Provide only one Debtor name (2a or 2b) (use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name); if any part of the individual Debtor's name will not fit in line 2b, leave all of item 2 blank, check here ☐ and provide the individual Debtor information in item 10 of the Financing Statement Addendum (Form UCC1Ad)

2a. ORGANIZATION'S NAME				
OR				
2b. INDIVIDUAL'S SURNAME	FIRST PERSONAL NAME	ADDITIONAL NAME(S)/INITIAL(S) SUFFIX		
Makofski	Jeff			
2c. MAILING ADDRESS	CITY	STATE	POSTAL CODE	COUNTRY
320 Cromwell	Maylene	AL	35114	USA

3. SECURED PARTY'S NAME (or NAME of ASSIGNEE of ASSIGNOR SECURED PARTY): Provide only one Secured Party name (3a or 3b)

3a. ORGANIZATION'S NAME				
OR				
3b. INDIVIDUAL'S SURNAME	FIRST PERSONAL NAME	ADDITIONAL NAME(S)/INITIAL(S) SUFFIX		
3c. MAILING ADDRESS	CITY	STATE	POSTAL CODE	COUNTRY
1100 EAST 6600 SOUTH, STE 510	SALT LAKE CITY	UT	84121	USA

4. COLLATERAL: This financing statement covers the following collateral:

Inground pool - Fixture Filing

THE FOLLOWING PROPERTY IS SITUATED IN MAYLENE, COUNTY OF SHELBY, STATE OF ALABAMA TO
WIT: CEDAR GROVE AT STERLING GATE SEC 2 PH 12B MB/MP 39/092 LOT 354 SEC 03 T21 R3W
ALABASTER TWP PROPERTY ADDRESS: 320 CROMWELL, MAYLENE, AL 35114 PARCEL ID#:23-2-03-2-005-055-000

TOTAL VALUE OF COLLATERAL FOR AL RECORDATION TAX IS \$51500.00

5. Check only if applicable and check only one box: Collateral is <input type="checkbox"/> held in a Trust (see UCC1Ad, item 17 and instructions) <input type="checkbox"/> being administered by a Decedent's Personal Representative	
6a. Check only if applicable and check only one box:	
<input type="checkbox"/> Public-Finance Transaction	<input type="checkbox"/> Manufactured-Home Transaction
<input type="checkbox"/> A Debtor is a Transmitting Utility	<input type="checkbox"/> Agricultural Lien
<input type="checkbox"/> Non-UCC Filing	
7. ALTERNATIVE DESIGNATION (if applicable): <input type="checkbox"/> Lessee/Lessor <input type="checkbox"/> Consignee/Consignor <input type="checkbox"/> Seller/Buyer <input type="checkbox"/> Bailee/Bailor <input type="checkbox"/> Licensee/Licensor	
8. OPTIONAL FILER REFERENCE DATA:	



Filed and Recorded
 Official Public Records
 Judge of Probate, Shelby County Alabama, County
 Clerk
 Shelby County, AL
 08/13/2020 01:26:24 PM
 \$41.00 JESSICA
 20200813000348430

Allen S. Bayl

UCC FINANCING STATEMENT ADDENDUM

FOLLOW INSTRUCTIONS

9. NAME OF FIRST DEBTOR: Same as line 1a or 1b on Financing Statement; If line 1b was left blank

because individual Debtor name did not fit, check here ☐

9a. ORGANIZATION'S NAME

OR

9b. INDIVIDUAL'S SURNAME

Makofski

FIRST PERSONAL NAME

Dawn

ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

20191115000424630 2/2 \$116.25
 Shelby Cnty Judge of Probate, AL
 11/15/2019 11:30:37 AM FILED/CERT

10. DEBTOR'S NAME: Provide (10a or 10b) only gng additional Debtor name or Debtor name that did not fit in line 1b or 2b of the Financing Statement (Form UCC1). (Use exact, full name; do not omit, modify, or abbreviate any part of the Debtor's name) and enter the mailing address in line 10c

10a. ORGANIZATION'S NAME

OR

10b. INDIVIDUAL'S SURNAME

INDIVIDUAL'S FIRST PERSONAL NAME

INDIVIDUAL'S ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

10c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

USA

11. ☐ ADDITIONAL SECURED PARTY'S NAME or ☐ ASSIGNOR SECURED PARTY'S NAME: Provide only gng name (11a or 11b)

11a. ORGANIZATION'S NAME

OR

11b. INDIVIDUAL'S SURNAME

FIRST PERSONAL NAME

ADDITIONAL NAME(S)/INITIAL(S)

SUFFIX

11c. MAILING ADDRESS

CITY

STATE

POSTAL CODE

COUNTRY

12. ADDITIONAL SPACE FOR ITEM 4 (Collateral):

13. ☒ This FINANCING STATEMENT is to be filed (for record) (or recorded) in the REAL ESTATE RECORDS (if applicable)

14. This FINANCING STATEMENT:

☐ covers timber to be cut

☐ covers as-extracted collateral

☒ is filed as a fixture filing

15. Name and address of a RECORD OWNER of real estate described in item 16 (if Debtor does not have a record interest):

Owners: Dawn Makofski, Jeff Makofski

16. Description of real estate:

THE FOLLOWING PROPERTY IS SITUATED IN MAYLENE, COUNTY OF SHELBY, STATE OF ALABAMA TO WIT: CEDAR GROVE AT STERLING GATE SEC 2 PH 12B MB/MP 39/092 LOT 354 SEC 03 T21 R3W ALABASTER TWP PROPERTY ADDRESS: 320 CROMWELL, MAYLENE, AL 35114 PARCEL ID#:23-2-03-2-005-055-000

17. MISCELLANEOUS: