

THIS INSTRUMENT PREPARED BY
AND AFTER RECORDING RETURN TO:
Grant A. Premo, Esq.
BRADLEY ARANT BOULT CUMMINGS LLP
1819 Fifth Avenue North
Birmingham, AL 35203

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10/06/2020 01:24:47 PM
SUBAGREM 1/4

SUBORDINATION OF LIEN

THIS SUBORDINATION OF LIEN (this "*Subordination*") dated as of June 4, 2020 is executed and delivered by The Secretary of Housing and Urban Development, having an address of 451 Seventh Street SW, Washington DC, 20410, for the sole purpose of evidencing The Secretary of Housing and Urban Development's subordination described in the following paragraphs.

RECITALS

A. On or about June 18, 2015, borrowers John B. McMillan and Julie R. McMillan ("Borrowers") executed a Mortgage, recorded as instrument no. 20150702000223110 in the Official Public Records of Shelby County, Alabama, in the original amount of \$232,853.00 and to original lender FBC Mortgage, LLC (the "Mortgage") which was secured by the property located at 176 Golden Meadows Dr., Alabaster, Alabama 35007, more particularly described as in Exhibit A hereto (the "Property");

B. On October 26, 2016, Borrowers executed a Loan Modification Agreement, recorded as instrument no. 20161117000423730 in the Official Public Records of Shelby County, Alabama, modifying the terms of the Mortgage (the "Loan Modification Agreement");

C. The Mortgage was assigned to FBC Mortgage, LLC on July 26, 2016, via an Assignment of Mortgage recorded as instrument no. 20160727000261190 in the Official Public Records of Shelby County, Alabama;

D. On October 25, 2016, Borrowers executed a Partial Claim Mortgage, recorded as instrument no. 20161117000423740 in the Official Public Records of Shelby County, Alabama, in the original amount of \$68,937.87 and to The Secretary of Housing and Urban Development (the "Partial Claim Mortgage") which was also secured by the Property;

E. On March 5, 2019, FBC Mortgage LLC foreclosed the Mortgage, and the Property was sold at auction to FBC Mortgage, LLC, as documented by the Foreclosure Deed, recorded as instrument no. 20190308000074600 in the Official Public Records of Shelby County, Alabama (the "Foreclosure Deed");

F. FBC Mortgage, LLC wishes to rescind the Foreclosure Deed and restore the priority of the liens on the Property as if the foreclosure had not occurred;

NOW, THEREFORE, in consideration of the premises and other sufficient consideration, The Secretary of Housing and Urban Development, intending to be legally bound hereby, agrees as follows:

1. Subordination. The Secretary of Housing and Urban Development covenants and agrees that the Partial Claim Mortgage (as amended, restated in all or are in part, severed, replaced, supplemented, or otherwise modified, from time to time) and the liens, security interests and rights of The Secretary of Housing and Urban Development thereunder in and to the Property is made and shall continue hereafter to be subject and subordinate to the Mortgage and the Loan Modification Agreement and the rights of the holders thereto, without regard to the Foreclosure Deed or any rescission thereof.

2. Full Force and Effect. Except as specifically provided herein, this Subordination does not in any way waive, amend, modify, affect, or impair the terms and conditions of the Mortgage, the Loan Modification Agreement, or the Partial Claim Mortgage, and all terms and conditions thereof are to remain in full force and effect unless otherwise specifically amended, waived, or changed pursuant hereto.

[Remainder of page intentionally left blank; signature page to follow]

IN WITNESS WHEREOF, The Secretary of Housing and Urban Development has caused this Subordination to be duly executed by its respective authorized officers, effective as of the date first above written.

NOVAD Management Consulting, LLC
Attorney-in-Fact for The Secretary of
Housing and Urban Development

By: [Signature]

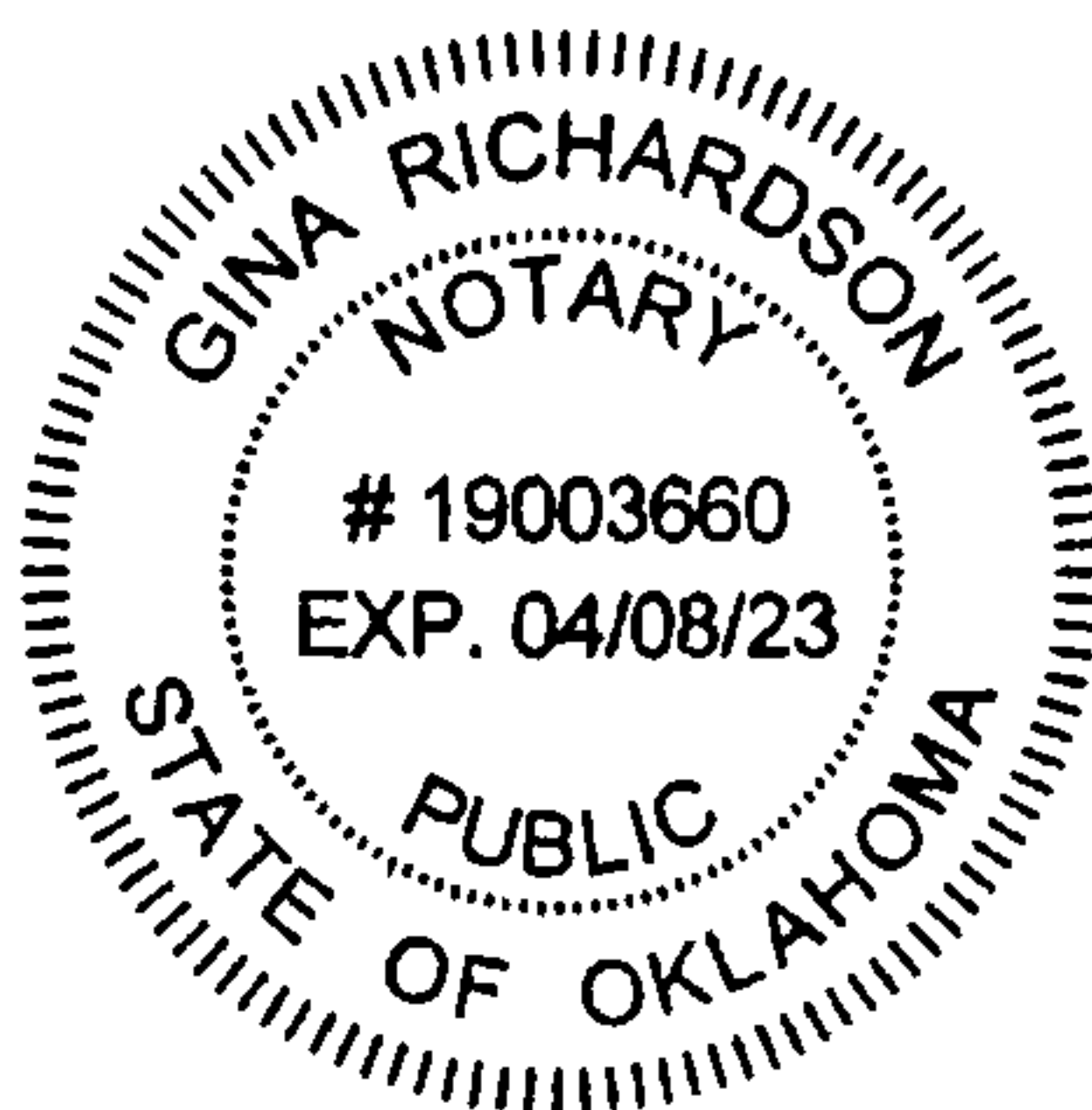
Name: Chad Beede

Its: Secretary Held Supervisor

State of State of Oklahoma
County of County of Oklahoma

Before me, Gina Richardson, the undersigned officer, on this, the 4th day of June, 2020, personally appeared Chad Beede, ☒ known to me or, ☐ through production of Supervisor as identification, who identified her/himself to be the Secretary Held of Secretary Held, the person and officer whose name is subscribed to the foregoing instrument, and being authorized to do so, acknowledged that (s)he had executed the foregoing instrument as the act of such corporation for the purpose and consideration described and in the capacity stated.

(seal)



[Signature]
Print Name: Gina Richardson
Notary Public, State of Oklahoma
Commission No.: 19003660

EXHIBIT A

Lot 22, Golden Meadows Subdivision, according to the plat thereof, recorded in Map Book 38,
Page 80, as recorded in the Office of the Judge of Probate of Shelby County, Alabama.

APN: 23-7-26-0-012-022.000



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
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