

REQUESTED BY  
**Stewart Title of Douglas County**  
IN OFFICIAL RECORDS OF  
DOUGLAS CO., NEVADA

2004 FEB 13 PM 3:38

WERNER CHRISTEN  
RECORDER

*Werner Christen*  
PAID *Werner Christen* DEPUTY

This instrument was prepared by:  
Bank of America  
1400 Best Plaza Drive  
Richmond, VA 23227

After recording return to:  
Bank of America Collateral Tracking  
9000 Southside Boulevard, Bldg 700  
Jacksonville, FL 32256  
Account #: 7065969219

**Real Estate Subordination Agreement  
(Bank of America to Bank of America)**

This Real Estate Subordination Agreement ("Agreement") is executed as of 02/11/2004, by Bank of America, N.A., having an address of 1400 Best Plaza Drive, Richmond, Va 23227

("Subordinator"), in favor of Bank of America, N.A., having an address for notice purposes of  
Bank of America  
4161 Piedmont Parkway  
Greensboro, NC 27410

**Whereas**, Subordinator is the owner and holder of, or creditor under, the indebtedness described in and secured by a security instrument (deed of trust, deed to secure debt or mortgage) dated 09/25/2003, executed by CLAY R WARNOCK AND DORENE EMSLIE WARNOCK, TRUSTEES OF THE WARNOCK FAMILY TRUST DATED 10/23/85

and which is recorded in Volume/Book 0903, Page 13737, and if applicable, Document Number 591165, of the land records of DOUGLAS County, NV, as same may have been or is to be modified prior hereto or contemporaneously herewith (the "Senior Lien"), encumbering the land described therein (said land and such improvements, appurtenances and other rights and interests regarding said land, if any, as are described in the Senior Lien being called herein collectively, the "Property"); and

**Whereas**, Bank of America has been requested to make a loan, line of credit or other financial accommodation to CLAY R WARNOCK AND DORENE EMSLIE WARNOCK, TRUSTEES OF THE WARNOCK FAMILY TRUST DATED 10/23/85

(jointly and severally, "Borrower"), to be secured by, without limitation, either a deed of trust, deed to secure debt or mortgage (the "Junior Lien"), covering without limitation, the Property and securing the indebtedness described therein including the payment of a promissory note, line of credit agreement or other borrowing agreement made by Borrower and/or others payable to the order of Bank of America in the maximum principal face amount of \$ 485,247.00 (the "Principal Amount") [For North Carolina only - bearing interest and payable as therein provided at the maximum rate of % for a period not to exceed months], including provisions for acceleration and payment of collection costs (the "Obligation"); the Junior Lien and the Obligation to contain such other terms and provisions as Bank of America and Borrower shall determine; and



**Bank of America Acknowledgment:**

State/Commonwealth/District of Virginia

County/City of Henrico

On this the 11 day of February, 2004, before me, Aleatha Conway  
The undersigned officer, personally appeared Carol A. Rockwell,  
Who acknowledged him/herself to be the Assistant Vice President of Bank of America, N.A., and that  
(s)he, as such Assistant Vice President,  
Being authorized so to do, executed the foregoing instrument for the purposes therein contained, by  
signing the name of the corporation by him/herself as Assistant Vice President. In witness whereof I  
hereunto set my hand and official seal.

SEAL

*Aleatha Conway*  
\_\_\_\_\_  
Signature of Person Taking Acknowledgment  
Commission Expiration Date: 12/31/07

**Trustee Acknowledgment:**

State/Commonwealth/District of Virginia

County/City of Henrico

On this the 11 day of February, 2004, before me, Aleatha Conway  
The undersigned officer, personally appeared Betty W. Watson,  
Who acknowledged him/herself to be the Assistant Vice President , and that (s)he, as such  
Assistant Vice President,  
Being authorized so to do, executed the foregoing instrument for the purposes therein contained, by  
signing the name of the corporation by him/herself as Assistant Vice President.  
. In witness whereof I hereunto set my hand and official seal.

SEAL

*Aleatha Conway*  
\_\_\_\_\_  
Signature of Person Taking Acknowledgment  
Commission Expiration Date: 12/31/07