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10/27/2009 03:55PM Deputy: SG
OFFICIAL RECORD
Requested By:
NORTHERN NEVADA TITLE CC
Douglas County - NV
Karen Ellison - Recorder
Page: 1 of 4 Fee: 42.00
BK-1009 PG-5680 RPTT: 0.00



APN: 1220-09-416-005

DOI 09180070

This instrument was prepared by:
Bank of America Subordination Unit
4161 Piedmont Parkway
Greensboro, NC 27410

After recording return to:
Bank of America Collateral Tracking
4161 Piedmont Parkway
Greensboro, NC 27410
Account #: 6818100467XXXX

Bank of America



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

This Real Estate Subordination Agreement ("Agreement") is executed as of 10/15/2009, by Bank of America, N.A. ("Subordinator") having an address of:

4161 Piedmont Parkway
Greensboro, NC 27410

in favor of PROVIDENT FUNDING ASSOCIATES ("Junior Lien Holder"), having an address for notice purposes of:

1771 E. FLAMINGO RD SUITE A-212
LAS VEGAS, NV 89119

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 05/02/2005, executed by STEPHEN J. O'BRIEN AND JANET A. BUSATTO, MARRIED TO EACH OTHER, with a property address of: 1268 SIERRA VISTA DR, GARDENERVILLE, NV 89460

which was recorded on 6/6/2005, in Volume/Book 605, Page 1817, and Document Number 646135, and if applicable, modified on 2/14/2008, in Volume/Book N/A, Page N/A, Document Number 718041, 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, Junior Lien Holder has been requested to make a loan, line of credit or other financial accommodation to STEPHEN J. O'BRIEN AND JANET A. BUSATTO, MARRIED TO EACH OTHER

(for use in AR, AZ, CO, CT, FL, GA, IA, IL, KS, KY, MD, MI, MN, MO, NC, NM, NJ, NV, NY, OK, SC, TN, TX, VA and VT)



(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 PROVIDENT FUNDING ASSOCIATES in the maximum principal face amount of \$ 300,000.00 (the "Principal Amount") and line of credit in the amount of \$56,250.00 [For North Carolina only – bearing interest and payable as therein provided at the maximum rate of 4.7500% for a period not to exceed 360.00 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 Junior Lien Holder and Borrower shall determine; and

Now, Therefore, for valuable consideration, Subordinator hereby subordinates the Senior Lien to Junior Lien, subject to the terms of this Agreement. The Subordinator's Senior Lien is subordinated to Junior Lien only to the extent of the Principal Amount of the Obligation and any amounts advanced pursuant to the terms of the Obligation or the security instrument for the payment of insurance premiums, taxes, costs of collection, protection of the value of the property or Bank of America's rights in the Property or foreclosure. All other rights of Subordinator now or hereafter existing in or with respect to the Property (including but not limited to all rights and to proceeds of insurance and condemnation) are hereby subordinated, and are and shall remain completely and unconditionally subordinate, to the Junior Lien and the rights of Junior Lien Holder regardless of the frequency or manner of renewal, extension, consolidation or modification of the Junior Lien or the Obligation.


This Agreement shall inure to the benefit of the Subordinator and Junior Lien Holder and their respective successors and assigns, including any purchaser(s) (at foreclosure or otherwise) of the Property or any part thereof, and their respective successors and assigns.


(for use in AR, AZ, CO, CT, FL, GA, IA, IL, KS, KY, MD, MI, MN, MO, NC, NM, NJ, NV, NY, OK, SC, TN, TX, VA and VT)



Bank of America, N.A.

Two witness signatures required in CT, FL, GA, SC and TN


By: Kathy Clark
Its: Assistant Vice President

10/15/2009
Date

Witness Signature

Tara Grant
Typed or Printed Name


Witness Signature

Damon Cager
Typed or Printed Name



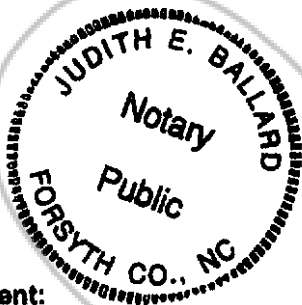
Individual Acknowledgment:

State/Commonwealth/District of North Carolina
County/City of Guilford/Greensboro

On this the Fifteenth day of October, 2009, before me, Judith E. Ballard, the undersigned Notary Public, personally appeared Kathy Clark, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that (s)he executed the same for the purposes therein contained. In witness whereof I hereunto set my hand and official seal.



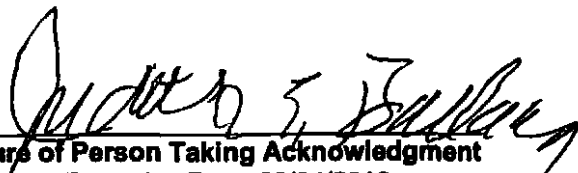
Signature of Person Taking Acknowledgment
Commission Expiration Date: 03/24/2013



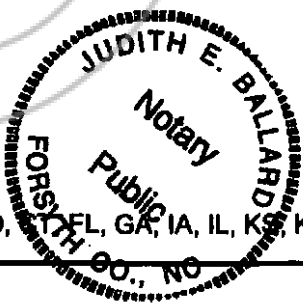
Corporate Acknowledgment:

State/Commonwealth/District of North Carolina
County/City of Guilford/Greensboro

On this the Fifteenth day of October, 2009, before me, Judith E. Ballard, the undersigned Notary Public, personally appeared 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.



Signature of Person Taking Acknowledgment
Commission Expiration Date: 03/24/2013



(for use in AR, AZ, CO, FL, GA, IA, IL, IN, KY, MD, MI, MN, MO, NC, NM, NJ, NV, NY, OK, SC, TN, TX, VA and VT)



EXHIBIT "A"

The land referred to is situate in the State of Nevada, County of Douglas and is described as follows:

Lot 4, Block 1 as set forth on the Final Map of Silverranch Phase 7, LDA #97-008-07 filed in the office of the County Recorder of Douglas County, State of Nevada on June 7, 2002, Book 602, at Page 2203 as Document No. 544102.

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