

RECORDING REQUESTED BY:

WFG National Title Insurance Company
333 W Santa Clara St., Suite 110
San Jose, CA 95113

WHEN RECORDED MAIL TO:

San Benito County Resource Management Agency
2301 Technology Parkway,
Hollister, CA 95023

Order No.: 015910 JLM

APN: 020-960-055

SPACE ABOVE THIS LINE FOR RECORDER'S USE

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.

THIS AGREEMENT, made this 2nd day of February, 2017 by Arturo Fernandez and Rosa Fernandez, Owner of the land hereinafter described and hereinafter referred to as "Owner", and County of San Benito, Present owner and holder of the deed of trust and note first hereinafter described and hereinafter referred to as "Beneficiary";

WITNESSETH

THAT WHEREAS, Arturo Fernandez and Rosa Fernandez, executed a deed of trust, dated July 12, 2001, to Chicago Title Company, as trustee, covering:

SEE ATTACHED EXHIBIT "A"

to secure a note in the amount of \$25,510.00, dated July 12, 2001, in favor of Beneficiary, which deed of trust was recorded July 13, 2001, as Instrument No. 2001-0011571, Official Records of said county; and

WHEREAS, Owner has executed, or is about to execute, a deed of trust and note in the sum of 100,000.00, dated _____, in favor of Plaza Home Mortgage, Inc., hereinafter referred to as "Lender", payable with interest and upon the terms and conditions described therein, which deed of trust is to be recorded concurrently herewith; and

WHEREAS, it is a condition precedent to obtaining said loan from Lender that said deed of trust last above mentioned shall unconditionally be and remain at all times a lien or charge upon the land hereinbefore described, prior and superior to the lien or charge of the deed of trust first above mentioned; and

WHEREAS, Lender is willing to make said loan provided the deed of trust securing the same is a lien or charge upon the above described property prior and superior to the lien or charge of the deed of trust first above mentioned and provided that Beneficiary will specifically and unconditionally subordinate the lien or charge of the deed of trust first above mentioned to the lien or charge of the deed of trust in favor of Lender; and

WHEREAS, it is to the mutual benefit of the parties hereto that Lender make such loan to Owner; and Beneficiary is willing that the deed of trust securing the same shall, when recorded, constitute a lien or charge upon said land which is unconditionally prior and superior to the lien or charge of the deed of trust first above mentioned.

NOW, THEREFORE, in consideration of the mutual benefits accruing to the parties hereto and other valuable consideration, the receipt and sufficiency of which consideration is hereby acknowledged, and in order to induce lender to make the loan above referred to, it is hereby declared, understood and agreed as follows:

- 1) That said deed of trust securing said note in favor of lender, and any renewals or extensions thereof, shall unconditionally be and remain at all times a lien or charge on the property therein described, prior and superior to the lien or charge of the deed of trust first above mentioned.
- 2) That Lender would not make its loan above described without this subordination agreement.

SUBORDINATION RECORDED DEED OF TRUST TO RECORD

Executed this ____ day of February, 2017
County of San Benito

APPROVED AS TO LEGAL FORM
SAN BENITO COUNTY COUNSEL

Shirley L. Murphy 2/13/17
DEPUTY COUNTY COUNSEL DATE

By: _____
Its

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

STATE OF CALIFORNIA

} SS.

COUNTY OF _____

On _____, before me, _____, a Notary Public, personally appeared

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(This area for official notarial seal)

Executed this ____ day of February, 2017

Arturo Fernandez, Owner

Rosa Fernandez, Owner

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

STATE OF CALIFORNIA

} SS.

COUNTY OF _____

On _____, before me, _____, a Notary Public, personally appeared

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

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SUBORDINATION RECORDED DEED OF TRUST TO RECORD

EXHIBIT "A"

Lot 53, as shown on that certain map entitled "Tract No. 287, Riverview Estates" filed May 4, 2000 in Book 13 of Maps, at Page 22, Records of San Benito County.

APN: 020-960-055