**SUBORDINATION OF LIEN AGREEMENT**

**(Permanent Easement)**

|  |  |  |
| --- | --- | --- |
| THE STATE OF TEXAS | § | ROW CSJ:       |
|  | § |  |
| COUNTY OF       | § | KNOW ALL MEN BY THESE PRESENTS: |

**WHEREAS**, by that certain [e.g., Deed of Trust] of record in [insert Vol. & Page, Clerk’s File No. or other recording information] of the [Deed or Official] Records of       County, Texas, the undersigned is currently the owner and holder of a certain [e.g., Real Estate Lien Note in the principal sum of $15,000.00, said note having been executed by Raul Cid and Concepcion Cid Arellano and payable to Tillman Welch], the lien(s) securing said note being upon the real property described in Exhibit “A” as well as additional real property, which is described in the above referenced and described [e.g., Deed of Trust]; and,

**WHEREAS**, the **STATE OF TEXAS** (hereinafter, “**STATE**”), acting herein by and through the Texas Department of Transportation, has acquired or will acquire an easement over and across the property described in Exhibit “A” for the purposes of [track easement purpose clause; for example: “…opening, constructing and maintaining a permanent drainage channel in, along, upon and across the said tract(s) of land”]; and,

**WHEREAS**, the **STATE** requires that any and all liens securing the above described note be subordinated to the **STATE’S** easement interest in and to said Exhibit “A”;

**NOW, THEREFORE,** for and in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged and confessed, [name of lienholder] hereby subordinates the lien(s) held by it and which secure the above described note, to the above-described easement interest of the State of Texas in and to that property described in Exhibit “A” attached hereto.

This subordination agreement shall only apply to the property described in attached Exhibit “A”, and any and all liens held by the undersigned on properties located outside of that described in Exhibit “A” shall not be subordinated on such other property that is located outside of the Exhibit “A” property.

**EXECUTED THIS** **DAY OF** **.**

**Acknowledgment**

State of Texas

County of

This instrument was acknowledged before me on by . The acknowledging person personally appeared by:

[ ]  physically appearing before me.

[ ]  appearing by an interactive two-way audio and video communication that meets the requirements for online notarization under Texas Government Code, Chapter 406, Subchapter C.

 Notary Public's Signature

**Business Entity Acknowledgment**

State of Texas

County of

This instrument was acknowledged before me on by , of , a , on behalf of said business entity. The acknowledging person personally appeared by:

[ ]  physically appearing before me.

[ ]  appearing by an interactive two-way audio and video communication that meets the requirements for online notarization under Texas Government Code, Chapter 406, Subchapter C.

 Notary Public's Signature