

1024


STATE OF ALABAMA)
COUNTY OF SHELBY)

RECORDER'S AFFIDAVIT

Before me, the undersigned notary public in and for the County of Shelby, State of Alabama, did appear David F. Byers, Jr., who, being first by me duly sworn, did affirm and state as follows:

1. That his name is David F. Byers, Jr.
2. That he did record that Mortgage (the "Mortgage") executed by Shoal Valley Joint Venture, an Alabama general partnership, in favor of Ingrid F. Smyer, in the principal amount of \$525,000.00, which Mortgage was recorded in Book 123, page 396, in the Probate Office of Shelby County, Alabama.
3. That he did record the exact same Mortgage in Book 190, page 482, in the Probate Office of Shelby County, Alabama.
4. That the Mortgage represents only one single indebtedness of Shoal Valley Joint Venture to Ingrid F. Smyer, and that it should have been recorded only once rather than twice.
5. That the recording of the Mortgage at Book 190, at page 482 was done inadvertently.
6. Further Affiant sayeth not.

BOOK 270 PAGE 488



David F. Byers, Jr.

Executed before me, the undersigned notary public in and for said County in said State on this the 14 day of December, 1989.

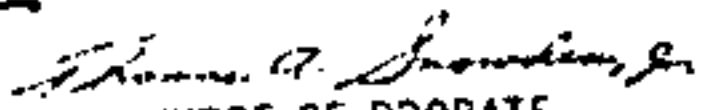


Notary Public

My Commission Expires: 11-19-90


STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT WAS FILED

89 DEC 15 PM 12:51



JUDGE OF PROBATE

Rec 2.50
Jud 3.00
Cert 1.00
6.50

Wallace, Brooke & Byers
200  with Bridge Ave, Suite 