

STATE OF ALABAMA)
SHELBY COUNTY)

AFFIDAVIT

We, Gerald Graham and wife, Denise D. Graham, are the owners of the following described real property located in Shelby County, Alabama:

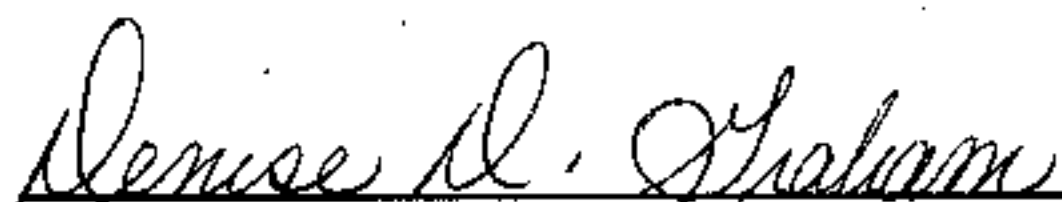
Lot 39, according to the Map and Survey of Dogwood Forest, Third Phase, as recorded in Map Book 14, Page 46, in the Probate Office of Shelby County, Alabama.

We hereby certify that we have been made aware that the improvements constructed on our property, as shown on the survey prepared by James W. Elliott and dated September 2, 1992 (a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference) appear to violate the restrictive covenants recorded in Book 296, Page 879, in the Office of the Probate Judge of Shelby County, Alabama, which covenants are applicable to Lots 25 through 39, Phase III, Dogwood Forest.

We further acknowledge that the Developer of Dogwood Forest, Phase III, and the Architectural Control Committee has entered into a Conditional Approval of said violation by an instrument dated September 23, 1992.

We hereby acknowledge and agree that we will make no claims against Collateral Mortgage, Ltd., its successors and/or assigns, Jefferson Title Corporation, Mississippi Valley Title, and/or Courtney Mason & Associates, P.C. arising from said violation of the restrictive covenants or location of the improvements on our property.


Gerald Graham


Denise D. Graham

STATE OF ALABAMA)
SHELBY COUNTY)

I, the undersigned, a Notary Public, in and for said County in said State, hereby certify that Gerald Graham and wife, Denise D. Graham, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the foregoing instrument, they executed the same voluntarily on the date the same bears date.

Given under my hand and seal this the 28th day of ^{October}~~September~~, 1992.

My Commission Expires:

10-23-93

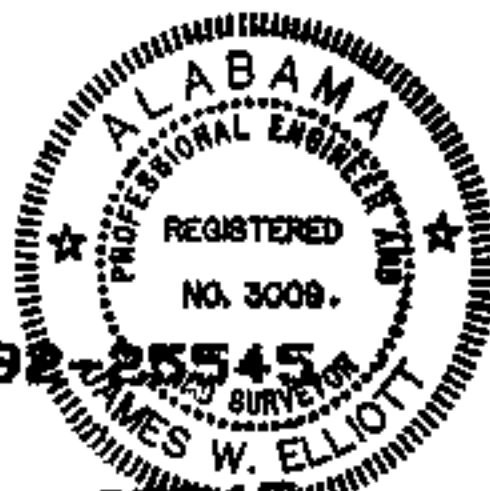

Notary Public

Inst # 1992-25545

W:\WP\CLOSINGS\GRAHAM-2.AFF

11/03/1992-25545
11:59 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCB 9.00

James W. Elliott
James W. Elliott
Register # 3009



Inst # 1992-25545
11/03/1992-25545
11:59 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 9.00