

STATE OF ALABAMA)
)
SHELBY COUNTY)

SS: AFFIDAVIT AND AGREEMENT

BEFORE ME, a Notary Public, in and for said County and State, personally appeared Jerry W. Davis, who being by me first duly sworn, deposes and states on an oath as follows:

1. My name is Jerry W. Davis, I have also been known as _____
I reside at 77 Rockwood Rd in Harpersville, Alabama,

2. I am the owner of the following described real estate situated in Shelby County, Alabama:
Begin at the NW corner of the SE1/4 of the NE1/4 of Section 2, Township 22 South, Range 1 West; thence run South 00 degrees 02 minutes 51 seconds West along the West line thereof for a distance of 357.72 feet; thence run North 87 degrees 40 minutes 45 seconds East for a distance of 1191.41 feet to the Westerly right of way of Egg and Butter Road; thence run North 16 degrees 27 minutes 24 seconds West along said right of way for a distance of 343.13 feet; thence run South 88 degrees 58 minutes 21 seconds West along the North line of said 1/4-1/4 for a distance of 1093.11 feet to the point of beginning. Situated in Shelby County, Alabama. According to the survey of Karl Hager, Alabama Reg. No. 11848, dated March 13, 1993.

3. I have been informed by A. Bruce Graham, Attorney at Law, who is closing a sale of the said property, that there appear(s) 1 judgement(s) against a person named "Jerry Davis", which is similar to my name, which is/are recorded in Real Book 164 at Page 100. I am not the person whom said judgement(s) was/were entered. Further, I have never lived at 2600 Longbow Drive in Birmingham, Alabama 35243. I do not have any unpaid obligations except current bills and neither have I received any notice of any suit(s) or judgement(s) having been filed against me. I am definitely not the same person against whom said judgement(s) and or tax lien(s) are of record.

4. I make this Affidavit for the purpose of inducing **COMMONWEALTH LAND TITLE INSURANCE COMPANY**, to issue a Title Opinion Letter/Title Policy concerning said property, which does not show said judgement(s) as an exception to title.

5. I hereby request **COMMONWEALTH LAND TITLE INSURANCE COMPANY**, to issue a Title Opinion Letter/Title Policy of said judgement(s) or endorsement(s) thereto, upon said real estate without exception therein as to any of and in consideration thereof, and as inducement therefor, the undersigned does hereby agree to indemnify and hold harmless the said **COMMONWEALTH LAND TITLE INSURANCE COMPANY**, of and from any and all loss, cost, damage and expense of every kind including attorney's fees, which said **COMMONWEALTH LAND TITLE INSURANCE COMPANY**, shall suffer or may suffer or incur or become liable for under said Title Opinion Letter/Title Policy now to be issued, or any reissue, renewal or extension thereof, anytime issued upon said real estate, part thereof or interest therein arising, directly or indirectly, out of or on account of any such judgements.

FURTHER, I HAVE NEVER FILED A PETITION IN BANRUPTCY

Further affiant saith not.

Jerry W. Davis
Jerry W. Davis, Affiant

SWORN TO AND SUBSCRIBED before me on this 2 day of JAN 1996, at TALLADEGA County, Alabama, witness my hand and official seal of office.

Robert Andrew Shoemaker
Notary Public
My Commission Expires: 1/26/96

Inst # 1996-00904

01/10/1996-00904
01:09 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 8.50