

AFFIDAVIT

I, A. Key Foster, Jr., Grantee in the deed from Kimberly-Clark Corporation, as recorded on August 31, 1979, in Book 321, Page 747, in the Probate Office of Shelby County, Alabama (the "Deed"), do hereby certify that there has been no production of hydrocarbons or sulphur on the land described in Exhibit A to said Deed in Section 33, Township 19 South, Range 1 West, Shelby County, Alabama, pursuant to the Memorandum and Affidavit Regarding Oil and Gas Lease dated February 9, 1982, and recorded in Book 45, Page 304, in the Probate Office of Shelby County, Alabama.

THIS the 3rd day of October, 1997.

A. Key Foster, Jr.
A. KEY FOSTER, JR.

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County and State hereby certify that A. Key Foster, Jr., whose name is signed to the foregoing Affidavit, and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 3rd day of October, 1997.

N. Carole Foster
Notary Public

SEAL

my commission expires 6-30-98

Inst # 1997-34877

10/27/1997-34877
12:15 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 8.50

CLAYTON T. SWEENEY, ATTORNEY AT LAW

Inst # 1997-34877