

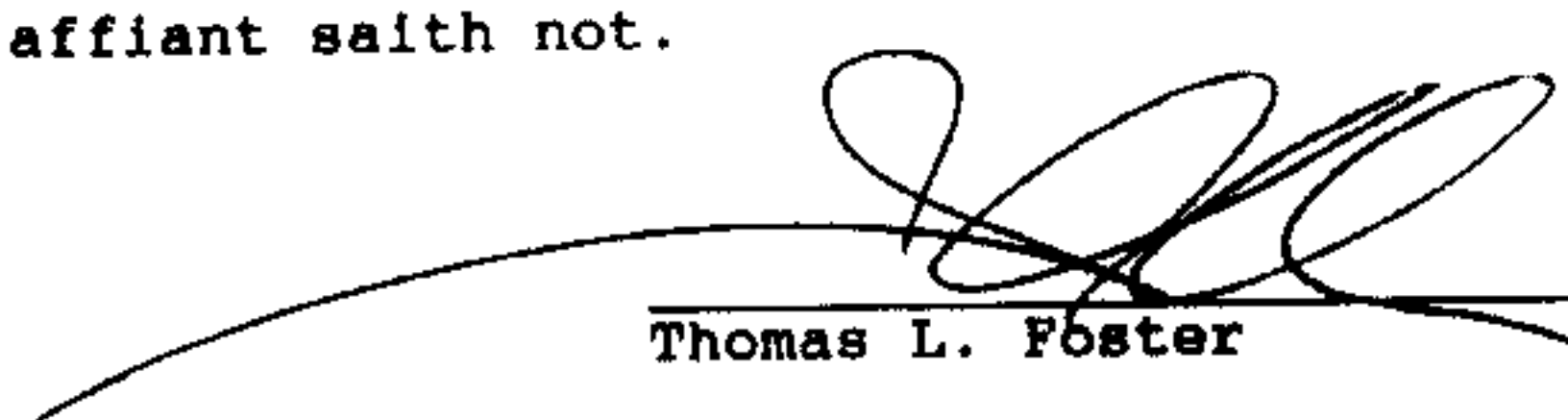
STATE OF ALABAMA )

JEFFERSON COUNTY )

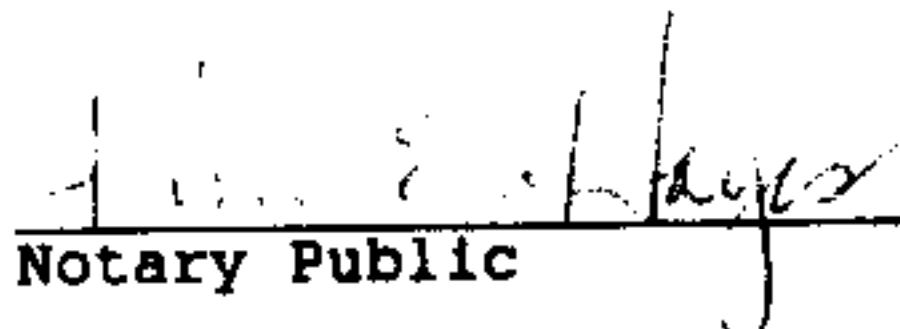
Before me, the undersigned, a Notary Public in and for said county and state, personally appeared Thomas L. Foster, who being by me first duly sworn deposes and says as follows:

My name is Thomas L. Foster and I am over 19 years of age and a resident of Jefferson County, Alabama. I am a practicing attorney in Birmingham, Alabama and have been for more than 25 years. On April 15th, 1998 I closed, in escrow, a transaction between The Bible Book and Gift Shop, Inc, Ray Smith Mining Equipment and Supplies, Inc. and Joseph Habshey. The "Notice of Contract" involving this transaction was recorded on May 13th, 1998 in Instrument #1998-17560. As a consideration of this transaction, I was to hold the deed off record between the "Smith Companies" and "Habshey". The deed to the "Smith Companies" (including the Bible Book and Gift Shop, Inc.) was inadvertently recorded in Instrument #1998-17589. There was no delivery of this deed since the Escrow Agreement signed by the parties required me to hold the same until all conditions were met. The deeds are now ready to be recorded and the deeds reflecting the intent of the parties will be delivered and recorded. This affidavit is made to acknowledge that the deed heretofore referenced be held for naught.

Further affiant saith not.

  
Thomas L. Foster

Sworn to and subscribed before me this the 11th day of March, 1999.

  
Notary Public

Inst # 1999-11938

03/22/1999-11938  
02:59 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MMS 8.50