

AFFIDAVIT OF TERMINATION OF RIGHT OF FIRST REFUSAL

STATE OF ALABAMA)  
COUNTY OF SHELBY)

RE: Lot 1024, according to the Survey of Highland Lakes, 10th Sector/ an Eddleman Community, as recorded in Map Book 26 Page 27 in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Phase I

Whereas, the Undersigned Highland Lakes Development, Ltd., an Alabama limited partnership, being the grantor in that certain deed recorded in Inst. # 2000-00379 in the Probate Office of Shelby County, Alabama did retain a right of first refusal to repurchase the above described property.

Whereas, K.T. Werk Advanced Southern Homes, Inc., the Grantee has constructed a residence in compliance with the terms set forth in that certain deed recorded in Inst. # 2000-00379; and Whereas, Highland Lakes Development, Ltd. and hereby terminates its right of first refusal to repurchase the above described property so that K.T. Werk Advanced Southern Homes, Inc. can convey the above described Lot 1024, free and clear of the right to repurchase.

Now Therefore, Highland Lakes Development, Ltd. hereby terminates its right of first refusal to repurchase the above described Lot 1024.

In Witness Whereof, the undersigned, Douglas D. Eddleman, as President of Eddleman Properties, Inc., has caused this termination of its right of first refusal on this the 18th day of June, 20 01.

Highland Lakes Development, Ltd.  
by: Eddleman Properties, Inc.  
Its General Partner

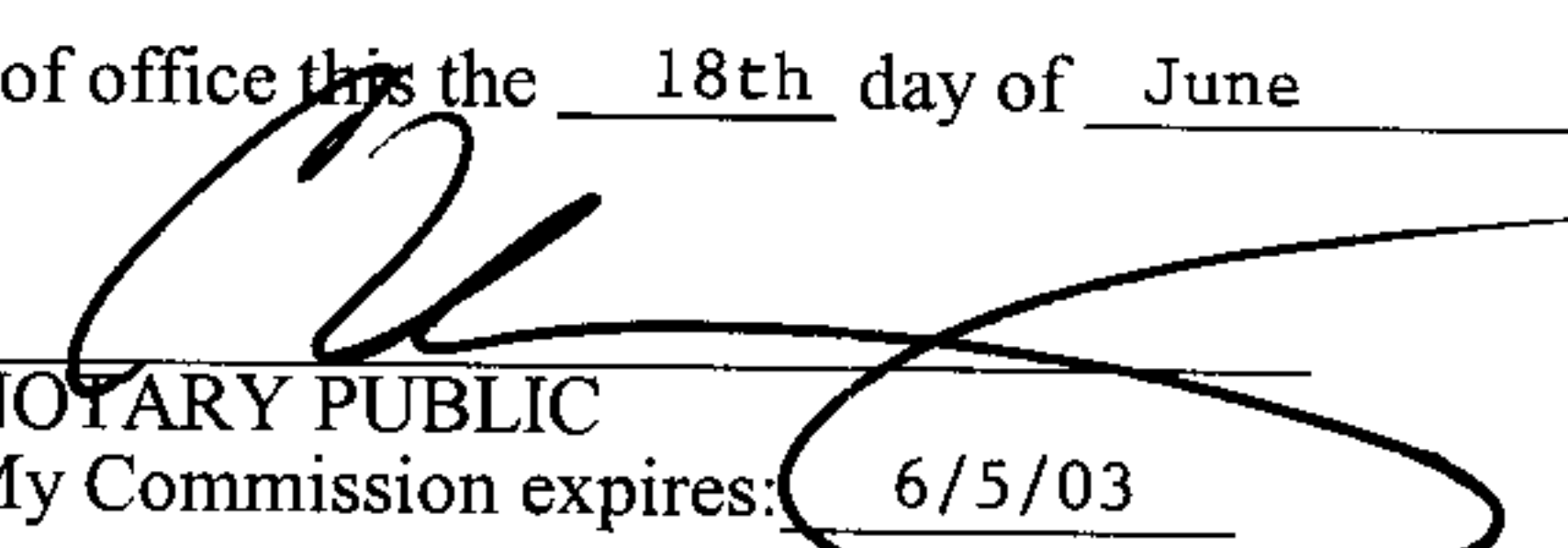
BY:

  
Douglas D. Eddleman  
President

STATE OF ALABAMA )  
COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Douglas D. Eddleman, whose name as President of Eddleman Properties, Inc., an Alabama Corporation, which is General Partner of Highland Lakes Development, Ltd., an Alabama Limited Partnership, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing conveyance, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said Corporation acting in its capacity as general partner of said limited partnership.

Given under my hand and official seal of office this the 18th day of June, 20 01.

  
NOTARY PUBLIC

My Commission expires: 6/5/03

This Instrument Prepared By:  
Clayton T. Sweeney, Attorney at Law  
2700 Highway 280 East, Suite 390E  
Birmingham, AL 35223

Inst # 2001-28943

07/12/2001-28943  
10:41 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 CH 11.00

N/HL1STREF

CLAYTON T. SWEENEY, ATTORNEY AT LAW