

**AFFIDAVIT**

**I, the undersigned, B. Christopher Battles, do hereby certify that we handled a closing between Hardage-Criss Construction Company, Inc. (Seller) and Jacqueline A. Britain (Purchaser) for the property located at 826 Daventry Lane, Calera, Alabama 35040 being more particularly described as follows:**

**Lot 112B, according to A Resurvey of Lots 112A, 113A and 114A, Daventry, Amended Plat of Sector II, as recorded in Map Book 29, Page 108, in the Probate Office of Shelby County, Alabama.**

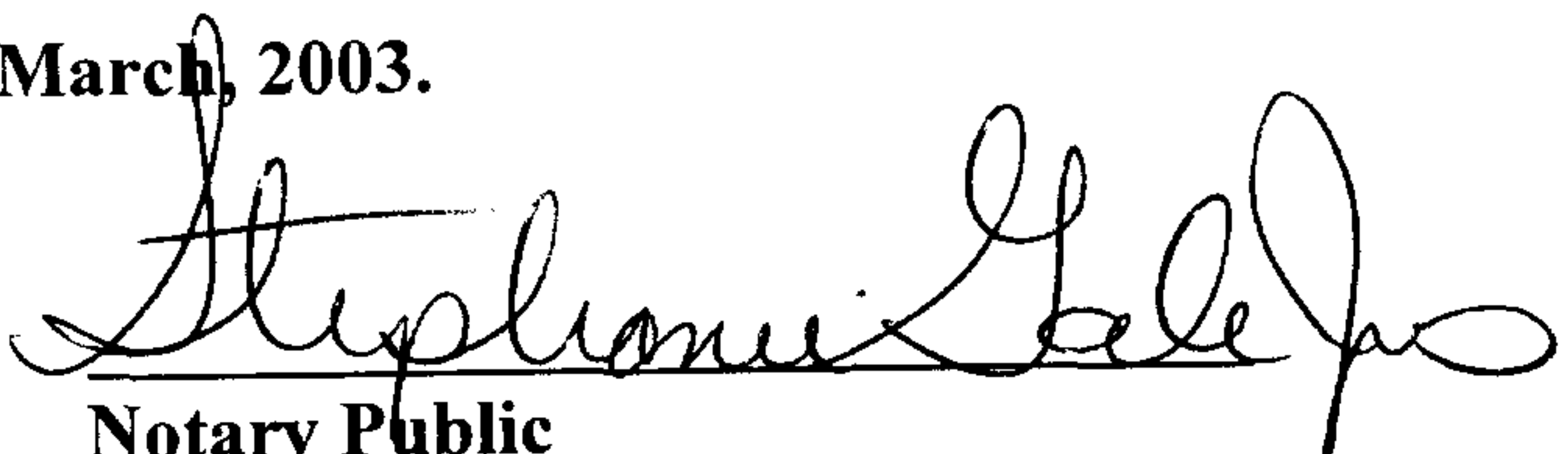
**At the time of closing on January 31, 2003, the seller conveyed the property to the purchaser and simultaneously the purchaser mortgaged the property with National Bank of Commerce of Birmingham as recorded in Instrument No. 20030214000092500 in the Probate Office of Shelby County, Alabama, being recorded February 14, 2003.**

**The Warranty Deed conveying said property was lost and was never recorded.**

**This Affidavit is being executed to certify that the conveyance of said property and the mortgaging of said property was done simultaneously.**

  
**B. Christopher Battles**

**Given under my hand and seal this 25<sup>th</sup> day of March, 2003.**

  
**Notary Public**  
**My Commission Expires: 02-26-05**

## WARRANTY DEED

This instrument was prepared by:  
B. CHRISTOPHER BATTLES  
3150 HIGHWAY 52 WEST  
PELHAM, AL. 35124

Send tax notice to:  
Jacqueline A. Britain  
826 Daventry Lane  
Calera, Alabama 35040

### STATE OF ALABAMA COUNTY OF SHELBY

Know All Men by These Presents: That in consideration of **One hundred seventeen thousand and no/100 (\$117,000.00)** to the undersigned grantor, in hand paid by the grantee herein, the receipt where is acknowledged, **Hardage-Criss Construction Company, Inc.** (herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto **Jacqueline A. Britain** (herein referred to as grantee, whether one or more) the following described real estate, situated in **Shelby County, Alabama**, to-wit:

**Lot 112B, according to A resurvey of Lots 112A, 113A and 114A, Daventry, Amended Plat of Sector II, as recorded in Map Book 29, Page 108, in the Probate Office of Shelby County, Alabama.**

Mineral and mining rights excepted.

Subject to existing easements, restrictions, set back lines, rights of way, limitations, if any of record.

\$116,065.00 of the purchase price recited above was paid from mortgage loan closed simultaneously herewith.

To Have and to Hold to the said grantee, his, her or their heirs and assigns forever.

And I do, for myself and for my heirs, executors and administrators, covenant with said grantee, his, her or their heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that I have a good right to sell and convey the same as aforesaid; that I will, and my heirs, executors and administrators shall warrant and defend the same to the said grantee, his, her or their heirs and assigns forever, against the lawful claims of all persons.

In Witness Whereof, I (we) have hereunto set my (our) hand(s) and seal(s) this 31<sup>st</sup> day of January, 2003.

  
Hardage-Criss Construction Company, Inc.  
By: Russell A. Hardage  
Its: President

### STATE OF ALABAMA COUNTY OF SHELBY

I, B. Christopher Battles, a Notary Public in and for said County, in said State, hereby certify that **Russell A. Hardage** whose name(s) as President of **Hardage-Criss Construction Company, Inc.**, is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, he/she/they executed the same voluntarily as the act of said Alabama corporation on the day the same bears date.

Given under my hand and official seal, this 31<sup>st</sup> day of January, 2003.

  
Notary Public  
My Commission Expires: 02-25-05

I certify that this is  
a true and correct copy  
of original