

**AFFIDAVIT OF TERMINATION OF RIGHT OF FIRST REFUSAL**

State of Alabama  
County of Shelby

RE: Lot 2404, according to the Map of Highland Lakes, 24<sup>th</sup> Sector, an Eddleman Community, as recorded in Map Book 33 page 34, in the Probate Office of Shelby County, Alabama.

Whereas, the Undersigned, Highland Lake Development, Ltd., an Alabama Limited Partnership, being the grantor in that certain deed recorded in Instrument 20040513000252840 in the Probate Office of Shelby County, Alabama, did retain a right of first refusal to repurchase the above described property.

Whereas, Ken Underwood Classic Homes, Inc., Grantee has purchased said lot in compliance with the terms set forth in that certain deed recorded in Instrument 20040513000252840; and Whereas, Highland Lakes Development, Ltd. hereby terminates its right of first refusal to repurchase the above described property so that Ken Underwood Classic Homes, Inc., can convey the above described lot 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 2404.

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 8<sup>th</sup> day of November, 2004.

Highland Lakes Development, Ltd.

By: Eddleman Properties, Inc.

Its General Partner

By: Douglas D. Eddleman  
Douglas D. Eddleman  
President

State of Alabama)  
County of Shelby)

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 instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the 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 THIS THE 8<sup>th</sup> DAY OF NOVEMBER, 2004.

My Commission Expires:

Donna D. Rainey  
Notary Public