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Shelby Cnty Judge of Probate, AL
02/03/2005 11:18:00 FILED/CERTIFIED

AFFIDAVIT

STATE OF ALABAMA
Shelby COUNTY

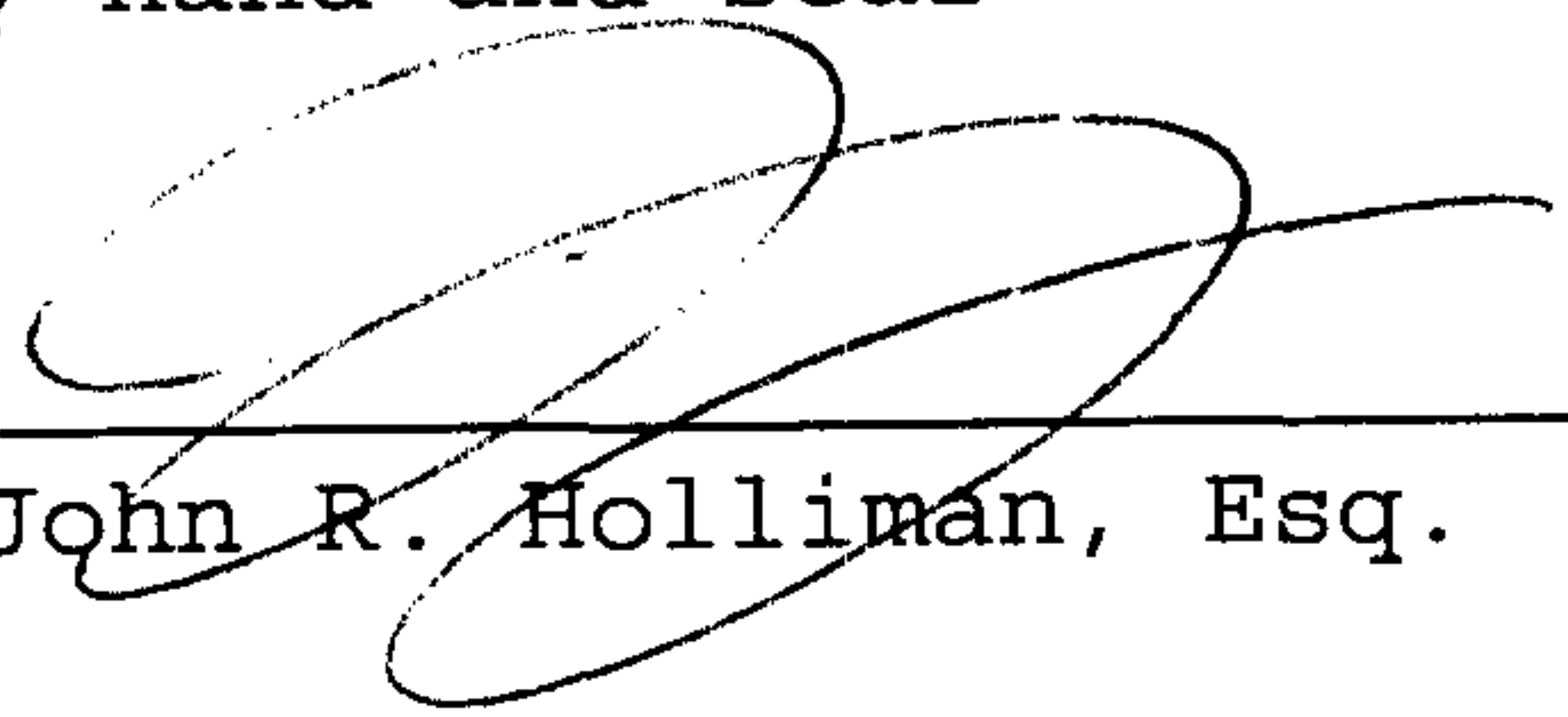
Before me, the undersigned authority in and for said County and State personally appeared John R. Holliman whose name is signed to this affidavit and who is known to me and who first being duly sworn, deposes and says as follows:

My name is John R. Holliman. I am a practicing attorney in Pelham, Al. I prepared a deed from H & P Custom Homes, Inc. to Andrew J. Thurmond, III dated the 8th day of March, 2002 and recorded in Inst. No. 2002-14603.

The acknowledgment in said deed properly acknowledged the signature of Jimmie E. Parker, President of H & P Custom Homes, Inc. but failed to acknowledge the signature of Harry D. Horton, Vice President. Notwithstanding the deed is valid without the signature of Harry D. Horton, Vice President, this affidavit is intended to remove any ambiguity from the aforementioned deed.

I, John R. Holliman, a notary public, hereby certify that Jimmie E. Parker, President and Harry D. Horton, Vice-President of H & P Custom Homes, Inc did sign the aforementioned deed in my presence on the 8th day of March, 2002, being fully informed of the contents of the conveyance, they signed it voluntarily as the act of H & P Custom Homes, Inc.

In Witness Whereof, I have unto set my hand and seal on this the 27th day of January, 2005.


John R. Holliman, Esq.

Sworn to and subscribed before me
this the 27th day of January, 2005.


Catherine Scott
Notary Public

My commission expires: 7-28-06

1/27/05