

STATE OF ALABAMA)
SHELBY COUNTY)

20090304000077530 1/2 \$16.00
Shelby Cnty Judge of Probate, AL
03/04/2009 10:34:24AM FILED/CERT

**AFFIDAVIT TO EXPUNGE ERRONEOUSLY FILED FULL SATISFACTION OF MORTGAGE
FROM THE RECORD AND TO REINSTATE MORTGAGE**

Before me, the undersigned Notary Public in and for said County in said State, personally appeared Rose Ann Rawlins, as Branch Manager of First Commercial Bank, an Alabama Banking Corporation ("First Commercial"), who, being known to me, and being duly sworn, deposes under oath and says as follows:

1. That I am over the age of twenty-one (21) years and am a resident of the State of Alabama, with personal knowledge and information pertaining to the facts in this affidavit.
2. That I am the duly elected Branch Manager of First Commercial and have the requisite authority to execute this affidavit on behalf of First Commercial Bank.
3. That **PAUL E. HARDIN** obtained from First Commercial a loan in the original amount of \$40,000.00, as amended to \$100,000.00 (the "Indebtedness") and executed in favor of First Commercial, as security for the Indebtedness, a Mortgage recorded in Instrument No. 20030507000283480, amended in Instrument No. 20090123000022220, in the Probate Office of Shelby County, Alabama on certain real property described therein (collectively referred to as the "Mortgage"). A true and correct copy of the Mortgage is attached hereto as Exhibit A.
4. That on May 27, 2008, First Commercial, through an error, inadvertently discharged the Mortgage of record by filing a Satisfaction and Release of Mortgage recorded in Instrument No. 20080527000214620 in the Probate Office of Shelby County, Alabama (the "Satisfaction"). A true and correct copy of the Satisfaction is attached hereto as Exhibit B.
5. That the Indebtedness secured by the Mortgage has not been paid in full and is still outstanding, and the Satisfaction is due to be expunged from the records in the Probate Office of Shelby County, Alabama, and the Mortgage is due to be reinstated.
6. That the recording of the Satisfaction was in error and that this affidavit is given for the purpose of correcting such error, expunging the same of the record and reinstating the Mortgage.

IN WITNESS WHEREOF, the undersigned has set his hand and caused these presents to be signed on this 3rd day of February, 2009.

FIRST COMMERCIAL BANK

By: 

Rose Ann Rawlins
Its Branch Manager

Sworn to and subscribed before me this 3rd day of February, 2009.


Notary Public

(SEAL)

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Sept 23, 2010
BONDED THRU NOTARY PUBLIC UNDERWRITERS



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ACKNOWLEDGEMENT OF MORTGAGOR

The undersigned mortgagor acknowledges and agrees that the foregoing affidavit is true and correct, that the Indebtedness described above remains outstanding and that the Mortgage described above is due to be reinstated.

Paul E. Hardin

PAUL E. HARDIN

Sworn to and subscribed before me this 3RD day of February, 2009.

[Signature]

Notary Public

(SEAL)

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Sept 23, 2010
BONDED THRU NOTARY PUBLIC UNDERWRITERS