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Shelby Cnty Judge of Probate, AL  
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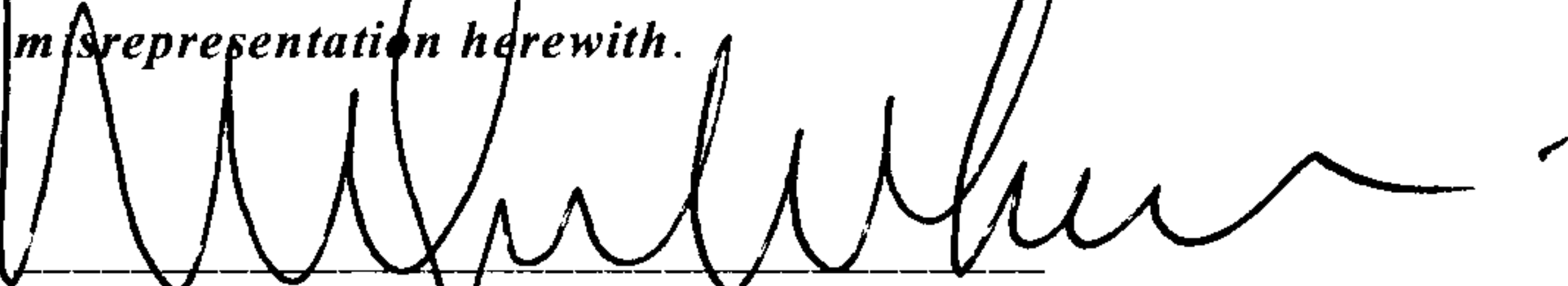
# Affidavit

(Lost Original Instrument)

Before me, the undersigned, personally appeared M. Wayne Wheeler who after first being duly sworn, deposes and says as follows:

1. I am over the age of 21 and of sound mind. I am an attorney licensed to practice law in the State of Alabama and I have personal knowledge of the following facts:
2. In or around early May, 2012, as part of a real estate transaction from Katharina Beiersdoerfer and the heirs of Helmut Beiersdoerfer to Joseph R. Wilson, I undertook to clear the title to the property located at 409 Buck Creek Trace; Alabaster, AL 35007 and further described as follows:  
  
Lot 53, according to the Survey of Buck Creek Landing, as recorded in Map Book 20, page 136, in the Office of the Judge of Probate of Shelby County, Alabama.
4. Title was vested in the Beiersdoerfers by that certain deed from Mike Kent to Helmut and Katharina Beiersdoerfer dated November 22, 1996 and recorded in the Office of the Judge of Probate of Shelby County, Alabama in Instrument No. 1996-39620. Prior to the conveyance from Mike Kent, the property was vested in Douglas M. Kent, II and Peggy S. Kent.
5. In order to clarify the name of the grantor, I requested that Mr. Kent execute an affidavit attesting to the fact that Mike Kent, the grantor in Instrument No. 1996-39620 was one and same as Douglas M. Kent, II.
6. Mr. Kent had his attorney, Laurie Boston Sharp, prepare an affidavit and executed it at her office. On June 13, 2012, the same day that the affidavit is dated, Ms. Sharp's office faxed a copy to me. The original was to be mailed to me at my office. The original affidavit signed by Mr. Kent was lost in the mail. Attached hereto as Exhibit A is a true and correct copy of the affidavit that was executed by Mr. Kent and faxed to me by his attorney at his direction.

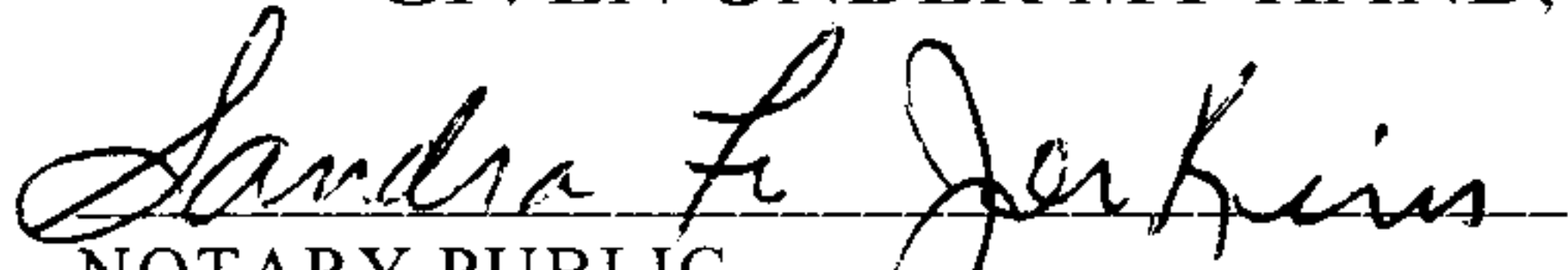
This affidavit is given to allow the recording of the attached copy in place of the lost original instrument and to induce Alabama Title Co., Inc. and First American Title Insurance Company to issue a policy of title insurance on the above described property. I agree to indemnify and hold harmless Alabama Title Co., Inc. and First American Title Insurance Company and their collective successors, heirs and assigns of and from any and all loss, cost, damage and expense of every kind, including attorneys' fees, which any of them shall or may suffer or incur or become liable for under its said policy or policies now to be issued, or any reissue, renewal or extension thereof, directly or indirectly, **as a result of any misrepresentation herewith.**

  
M. Wayne Wheeler, affiant

State of Alabama            )  
County of Jefferson        )

I, the undersigned authority, a Notary Public in and for said county, hereby certify that M .Wayne Wheeler whose name 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 said instrument, he executed the same voluntarily on the day and year set forth above.

GIVEN UNDER MY HAND, on this the 7th day of September, 2012.

  
NOTARY PUBLIC  
My Commission Expires 1/23/13

STATE OF ALABAMA)  
COUNTY OF SHELBY)

EXHIBIT A

AFFIDAVIT

Before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared DOUGLAS M. KENT II, also known as MIKE KENT, who being by me first duly sworn deposes and says as follows:

My name is DOUGLAS M. KENT II and I am over the age of 21 years. I am also known as Mike Kent. Douglas M. Kent II is one and the same individual as Mike Kent who is the Grantor in that Warranty Deed executed by Mike Kent dated November 22, 1996 and recorded on December 3, 1996 in Instrument No. 1996-39620, of the records in the Office of the Judge of Probate, Shelby County, Alabama.

Further affiant saith not.

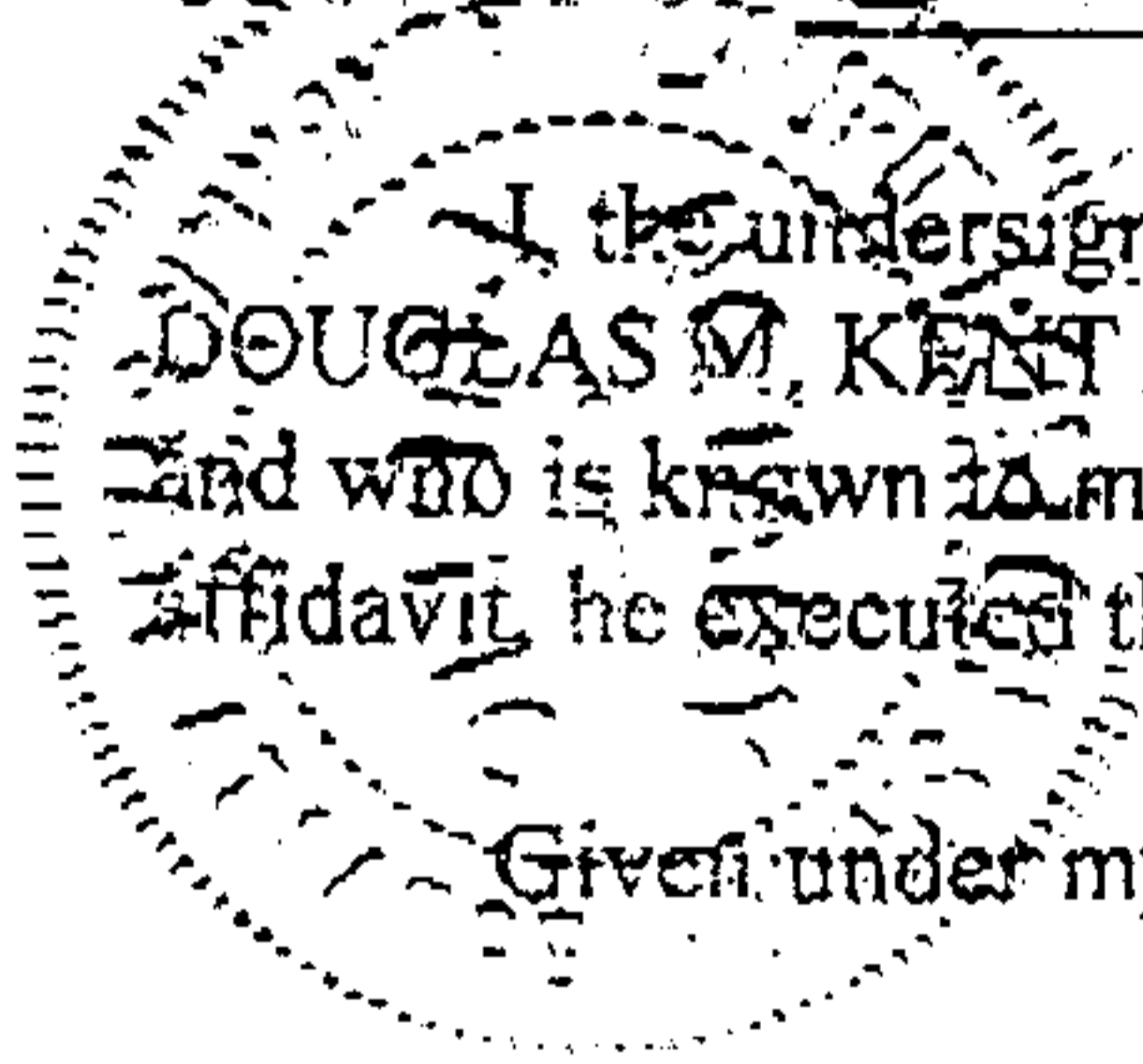
Dated this 13<sup>th</sup> day of JUNE, 2012.

Douglas M. Kent II      Mike Kent  
DOUGLAS M. KENT II a/k/a Mike Kent

STATE OF ALABAMA)

COUNTY OF Shelby)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that DOUGLAS M. KENT II, who is also known as Mike Kent, whose name is signed to the foregoing affidavit and who is known to me, acknowledged before me on this day, that, being informed of the contents of said affidavit, he executed the same voluntarily on the day the same bears date.



Given under my hand and official seal this 13<sup>th</sup> day of JUNE, 2012.

[Signature]  
NOTARY PUBLIC  
My Commission Expires 5-1-2013

THIS INSTRUMENT PREPARED BY:

Laurie Boston Sharp,  
Attorney at Law, LLC  
P.O. Box 567  
Alabaster, Alabama 35007



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LEGAL DESCRIPTION

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