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STATE OF ALABAMA)
COUNTY OF SHELBY)

A F F I D A V I T

19761206000116950 1/1 \$.00
Shelby Cnty Judge of Probate, AL
12/06/1976 12:00:00 AM FILED/CERT

Before me, the undersigned, a Notary Public in and for said County in said State, personally appeared J. E. Bearden, as President of The First Bank of Alabaster, who being first duly sworn, deposes and says as follows:

The purpose of this Affidavit is to induce Frank Ellis, Jr., Attorney at Law, to certify title made the subject of that certain title insurance binder set out herein and to induce Lawyers Title Insurance Corporation to remove certain exceptions contained in its title insurance binder issued September 20, 1976, under Case No. S-7192. No person, firm or corporation having rights of redemption under the laws of the State of Alabama arising out of that certain foreclosure, the deed of which is recorded in Deed Book 295, Page 530, in the Probate Office of Shelby County, Alabama, has given notice to The First Bank of Alabaster, or any other person, firm or corporation of intention to redeem, nor has any person, firm or corporation having such rights of redemption, filed any action in any court seeking a redemption from such foreclosure.

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The First Bank of Alabaster had no actual or constructive notice of the existence of a mortgage given by Charles W. Johnson to Johnson & McDaniel Building Company, recorded in Mortgage Book 349, Page 549, in the Probate Office of Shelby County, Alabama, when The First Bank of Alabaster took a mortgage from Charles W. Johnson and wife, Barbara M. Johnson, dated March 6, 1975, as recorded in Mortgage Book 344, Page 744, in the Probate Office of Shelby County, Alabama, which said mortgage was subsequently foreclosed by The First Bank of Alabaster, until said mortgage was in foreclosure, at which time said mortgage from Charles W. Johnson to Johnson & McDaniel Building Company was recorded of record. The First Bank of Alabaster has made no payments to Johnson & McDaniel Building Company on said mortgage either prior or subsequent to the execution of a mortgage by Charles W. Johnson and wife, Barbara M. Johnson, to The First Bank of Alabaster, and the subsequent foreclosure of same as set out herein.

Done this 3rd day of December, 1976.

J. E. Bearden
J. E. Bearden, as President of
The First Bank of Alabaster

Sworn to and subscribed before me
this 3rd day of December, 1976.

W. S. Jones
Notary Public

Carolee M. Jones
JUDGE OF PROBATE

STATE OF ALABAMA
1976 DEC -6 PM 3:03
INSURANCE WAS FILED