

STATE OF ALABAMA)

SHELBY COUNTY)

AFFIDAVIT

BEFORE ME, the undersigned authority, this day personally appeared Ouida Conn, Executrix of the Estate of Boyce L. Mason, Deceased, who, after being by me first duly sworn, did depose and say on oath that:

1. The undersigned is the owner of the following described property located in Shelby County, Alabama, to-wit:

Lot 3, in Block 2, according to the Survey of Navajo Hills, Second Sector, as recorded in Map Book 5, page 24, in the Office of the Judge of Probate of Shelby County, Alabama.

2. Except with relation to items which have been paid for in full, no labor has been performed upon, no services have been furnished in connection with, and no materials have been incorporated into the above-described property within the last ninety (90) days preceding the date of this Affidavit.

3. The undersigned is in sole and exclusive possession of the above-described property.

4. There are no judgments against the undersigned remaining unpaid; there are no suits pending against the undersigned in any court; and the undersigned has no notice or knowledge of any unpaid claim of any subcontractor, materialman or laborer.

5. This affidavit is made and given to induce Secretary of Housing and Urban Development to accept a deed in lieu of foreclosure on the above-described property.

6. There are no unrecorded easements which encumber or otherwise affect the above-described property.

7. The undersigned hereby warrants that the undersigned has received no notice of any public hearing regarding assessments for improvements by any governmental authority within the past ninety (90) days and there are no unpaid assessments or liens against the Property for improvements thereto by any governmental authority, whether or not said assessments appear of record.

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8. The undersigned warrants that there are no estate tax, inheritance tax, or income tax liens, under federal or state laws, against the Property, or against the undersigned, which would have any effect on the Property.

9. The Property is not within nor subject to any assessments of any special taxing district, community development district or utility district.

10. There is no outstanding unrecorded contract for sale, deed, agreement for deed, conveyance, mortgage, or lease affecting the title to the Property other than the mortgage incident to which this Affidavit is given or which will be satisfied from the proceeds of such mortgage.

11. Affiants are not financially insolvent and have no present intention of seeking the protection under the United States Bankruptcy Code.

12. The value of the above-described property is equal to or greater than the amount due and owing under the Mortgage in favor of Real Estate Financing, Inc., and recorded in Mortgage Book 131, Page 982, in the Office of the Judge of Probate of Shelby County, Alabama, and the promissory note secured thereby.

DATED this 30th day of September, 1988.

ESTATE OF BOYCE L. MASON, DECEASED

BY: Ouida Conn - Executrix
OUIDA CONN, EXECUTRIX

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said county, in said state, hereby certify that Ouida Conn, Executrix of the Estate of Boyce L. Mason, Deceased, 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 the Affidavit, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 30th day of September, 1988.

Kelly Shaw Cooper
Notary Public

NEW ALABAMA
I CERTIFY THIS
INSTRUMENT WAS FILED
88 DEC 22 AM 11:26
JUDGE OF PROBATE

BOOK 219 PAGE 146