

1957

TO: Ticor Title Company (Binder Nos. J92538 and J92539)
STATE OF ALABAMA)
SHELBY COUNTY)

AFFIDAVIT TO INDUCE
TITLE COMPANY TO INSURE PROPER TITLE

On this 3rd day of January, 1990, before me, the undersigned authority, personally appeared Chester J. Stefan, Executive Vice President of Armay Development Corporation, General Partner of The Mitchell Company, an Alabama general partnership, who, after being duly sworn, deposes and says as follows:

1. That I am the Executive Vice President of Armay Development Corporation, the General Partner of The Mitchell Company, an Alabama general partnership; I have been properly authorized to sign this Affidavit on behalf of The Mitchell Company; and, I have personal knowledge of the facts set out herein.

2. That on or about May 4, 1987, The Mitchell Company, as purchaser, entered into a Sales Contract with D. L. Hyche, as seller (hereinafter the "Sales Contract"). Said sales contract was recorded in Book 138, at Page 701, in the Office of the Judge of Probate of Shelby County.

3. Shortly after the sales contract was fully executed, the earnest money payable under the sales contract was refunded to the purchaser, and the sales contract was deemed to be null and void.

This Affidavit is given to verify and confirm that the sales contract is no longer in force and is considered to be null and void.

This Affidavit is also given to induce Ticor Title Company to issue a final owner's policy of title insurance on the real estate as described in the sales contract.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

90 JAN 29 AM 9:12

James H. Harrison, Jr.
JUDGE OF PROBATE

THE MITCHELL COMPANY, an Alabama
general partnership (purchaser)

By: Armay Development Corpora-
tion, General Partner

By: *Chester J. Stefan*
Chester J. Stefan
Its: Executive Vice President

Sworn to and subscribed before me on this 3rd day
of January, 1990.

Christi L. Meyer
Notary Public

My Commission Expires: 1/25/92

Ticor/CJS:clm
01-03-90

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300
100

650