

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

A F F I D A V I T

Before me, the undersigned authority, personally appeared R. Nelson Nash, who doth depose and state on oath as follows:

The undersigned Affiant having, by way of his interest in Thompson-Nash Development Company, An Alabama General Partnership, have been in possession of certain real property located in Shelby County, Alabama, described hereinafter:

Part of the NW 1/4 of Section 6, Township 20 South, Range 2 West, Shelby County, Alabama, which is more particularly described as follows: Commence at the NW corner of the NW 1/4 of said Section; thence run East along the North line of said 1/4 Section for a distance of 369.52 feet; thence 90° 00' 00" right and run Southerly for a distance of 1,089.47 feet to a point on a traverse line of Old Bishop Creek shown on a survey of a 7.40 acre tract, dated July 11, 1978, made by John E. Norton, Ala. Reg. P.E. and L.S. No. 10287; thence 57° 15' 38" Left and run Southeasterly along said traverse line for a distance of 317.57 feet; thence 26° 59' 56" left and continue along said traverse for a distance of 170.50 feet; thence 29° 51' 32" left and run along said traverse for a distance of 99.28 feet; thence 54° 36' 27" left and run along said traverse for a distance of 293.24 feet to point of spiral of a curve on U.S. Highway 31 South; thence 05° 40' 36" left to the right of way tangent of said Highway; thence reverse course and from said tangent extended Southerly turn an angle to the right of 05° 40' 36" and run along said Traverse line for a distance of 77.84 feet to the point of beginning; thence 88° 22' 28" right and run Westerly for a distance of 203.00 feet; thence 86° 21' 41" right and run Northerly for a distance of 100.00 feet; thence 93° 39' 02" right and run Easterly for a distance 210.0 feet to a point on the West right of way line of U.S. Highway 31 South; thence 94° 03' 48" right and run Southerly along said right of way line for a distance of 22.00 feet to said point of spiral curve; thence continue Southerly along said spiral curve and said right of way line for a distance of 78.00 feet; thence run Westerly for a distance of 5.02 feet to the point of beginning. Said Parcel contains 20,883.87 square feet for 0.48 acres, more or less, according to the survey of Joseph A. Miller, Jr., Ala. Reg. No. 2875, dated July 15, 1993. (A:11684/17)

There have been no claims, litigation, threats of litigation or otherwise from any third parties making any claims on the property based upon the following instruments of record in the Probate Office of Shelby County, Alabama, as follows:

1. Right of Way granted to Alabama Power Company by instrument recorded in Deed Volume 101, Page 506, in the Probate Office of Shelby County, Alabama.
2. Permit to Postal Telegraph Cable Company as shown by instrument recorded in Deed Volume 80, Page 37, in the Probate Office of Shelby County, Alabama.
3. The above real property acquired by Alabama Power Co. under Lis Pendens 6, Page 279, in the Probate Office of Shelby County, Alabama.
4. Right of way in favor of Shelby County, Alabama, recorded in Final Records 16, Page 65, in the Probate Office of Shelby County, Alabama.
5. Right of way for roadway as set forth in Book 269, Page 586, in the Probate Office of Shelby County, Alabama.

This Affidavit is given to induce Donald E. Spurlin, Shane R. Wilks, Craig G. Wilks and Ed Goodwin to purchase the above property and further to induce Colonial Bank, Northern Region, to advance certain funds for said purchase and construction on said real property.

Further, affiant saith not.

IN WITNESS WHEREOF, I have hereunto affixed my hand and seal this the 2nd day of November, 1993.

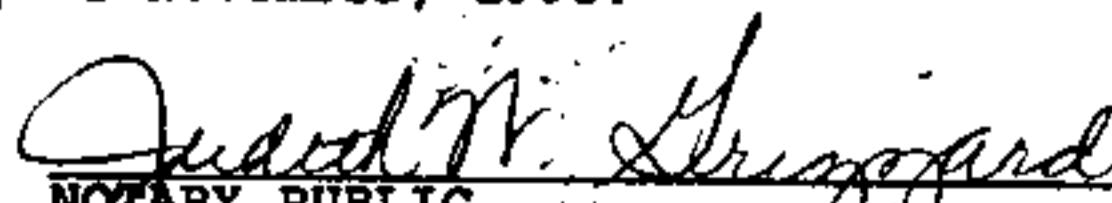

R. NELSON NASH

STATE OF ALABAMA
JEFFERSON COUNTY

I the undersigned, hereby certify that R. NELSON NASH, whose names is/are signed to the foregoing, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of the same, he/she/they executed the same voluntarily on the day the same bears date.

GIVEN under my hand on this the 2 day of November, 1993.

11/10/1993-35728
05:48 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 KJS 8.50


NOTARY PUBLIC
My commission expires 4-25-95

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