

STATE OF COLORADO)
COUNTY)

AFFIDAVIT

Before me, the undersigned authority, a Notary Public in and for said County and said State, personally appeared Charles W. Mobley, who, upon being first duly sworn, deposes and says as follows:

My name is Charles W. Mobley, and in 1973 I purchased a parcel of land located off of Mallary Road in Wilsonville, Alabama which consisted of approximately 1700 acres. I purchased that property from T.G. Wood and Martha Livingston and received deeds from them to the acreage in 1973. Over the years I have sold all of the acreage with the exception of a parcel consisting of 200 acres more or less. To the best of my knowledge both T. G. Wood and Martha Livingston have been deceased for many years.

In 1973 when I purchased the property located off of Mallary Road, I immediately had the property assessed for tax purposes in my name and have continued to pay taxes on that property since 1973. Included within the parcel was a small portion of property located to the west of the 200 acre parcel more or less, made the basis of the May, 1991 sales agreement to Commercial Equities, Inc. At the time I purchased the property it was enclosed in a fence which was apparently erected by the predecessors to my title. The property purchased by me included all of the fenced area. At that time the fence appeared to be many years old and has continued to be in existence surrounding the property since my purchase in 1973.

04/21/1994-12969
09:09 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 11.00

Inst # 1994-12969

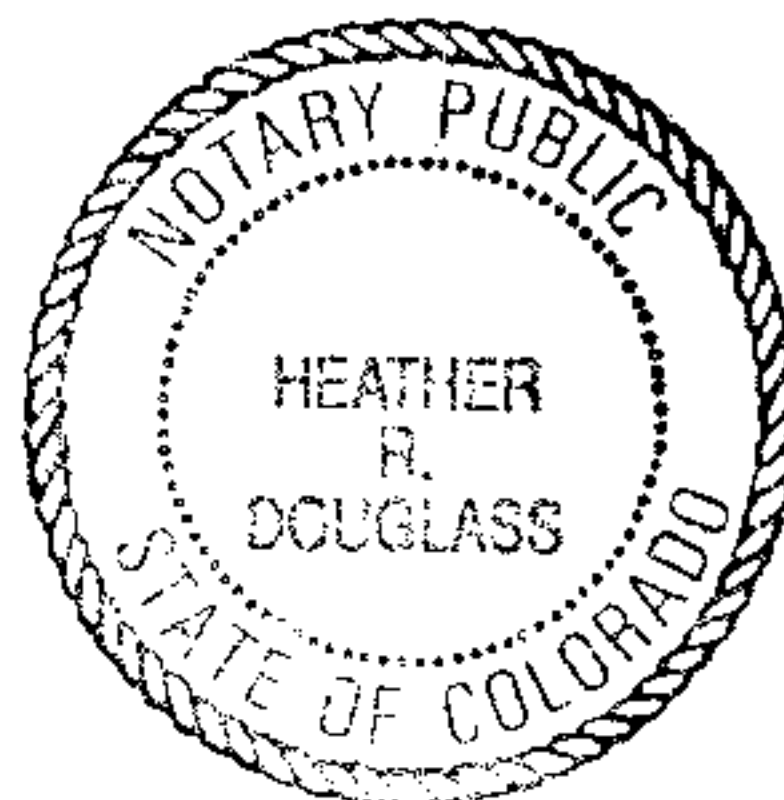
The property located off of Mallary Road in Wilsonville, Alabama, was being farmed by Mr. Hershell Lansford and his children at the time I purchased it. Thereafter, I leased the property to them and they continued to farm the complete area without interference from any third persons claiming title or rights in the property.

Since the date of my purchase in 1973, I have not been contacted nor notified by any person that they claim any interest in the property made the basis of this affidavit and I have continually treated all of that property as my own since my purchase, without interference from any third party.

I have read the above and foregoing affidavit and the same is true and correct.

Charles W. Mobley
Charles W. Mobley

SWORN TO AND SUBSCRIBED before me this the 15th day of January, 1992



Heather R. Douglass
Notary Public
My Commission Expires March 26, 1995

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