

STATE OF ALABAMA  
COUNTY OF SHELBY

AFFIDAVIT

Personally appeared before me the undersigned Notary Public, Gene W. Gray, Jr. who being by me first duly sworn doth depose and say as follows:

My name is Gene W. Gray, Jr. and I am a practicing attorney in Birmingham, Alabama and have been for more than 15 years.

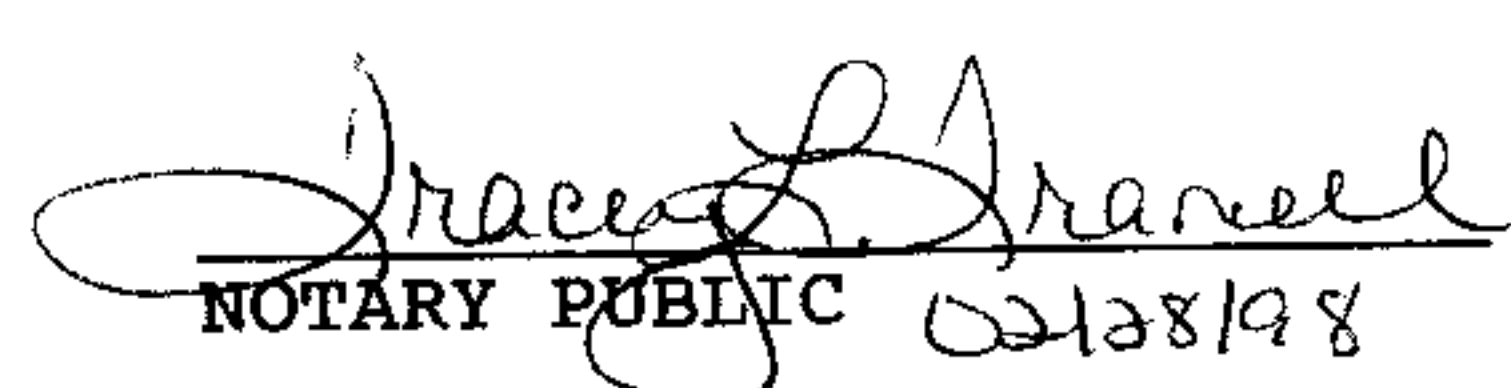
I am acquainted with Mary S. Wells, the grantor in that certain deed recorded in Book 396, Page 33, in the Probate Office of Shelby County, Alabama. I am also aware, from conversation with Mrs. Wells and review of other deeds recorded in said Probate Office, that, her husband, Burnell H. Wells, died March 15, 1981. She and her husband were owners of Lots 1 thru 10 and Lots 15 thru 22 according to the Survey of Monte Verde as recorded in Map Book 6, page 66, in said Probate Office, by and through that certain deed recorded in Book 308, Page 169, in said Probate Office.

The purpose of this affidavit is to establish, for the public record, that, Mary S. Wells is the surviving grantee of that certain deed recorded in Book 308, Page 169 cited above, and to further clear up any question of her ownership status at the time she executed and delivered that certain deed to RIPPLE CREEK BUILDERS, INC. recorded in Book 396, Page 33 cited above.

Further Affiant saith not.

  
Gene W. Gray, Jr.

STATE OF ALABAMA  
COUNTY OF SHELBY  
Sworn to and subscribed  
before me on this the 28th  
day of December, 1994.

  
NOTARY PUBLIC 02/28/98

Inst # 1995-00007

01/03/1995-00007  
09:07 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MCD 8.50

*Calvin Little*