

STATE OF ALABAMA

JEFFERSON COUNTY

AFFIDAVIT

Before me the undersigned authority in and for said county and state personally appeared Tim G. Wells and by me being first duly sworn and on oath saith as follows:

1. I have been the owner of the following described real property namely to wit:

Lot 50, according to the Survey of Wagon Trace, as recorded in Map Book 6, Page 140, in the Probate Office of Shelby County, Alabama.

since on or about the 16th day of January, 1988.

2. I have continuously owned and occupied this real property which is improved by a residential dwelling house.

3. I have been made aware of the following described mortgage on said real property:

Mortgage executed by Tim G. Wells to SouthTrust Mortgage Corporation, recorded in Real 223, page 135, in the Probate Office of Shelby County, Alabama, and subsequently transferred and assigned to Farm & Home Savings & Loan Association by instrument recorded in Book 338, Page 893, in said Probate Office.

4. On or about March, 1993 I refinanced this property with a new mortgage to Southeastern Mortgage Corporation of Alabama which mortgage was subsequently transferred and assigned to Loyola Federal Savings Bank. At the time of this refinance the above styled mortgage originally SouthTrust Mortgage Corporation, assigned to Farm & Home Savings & Loan Association was paid off. As evidence of this payoff I attach the following to this affidavit:

a. Letter of March 17, 1993 from Lamar Ham enclosing the payoff to the said Farm & Home Savings Association together with a copy of the payoff statement relied upon.

b. Letter to me dated May 11, 1993 from Farm & Home Association, Payoff Department evidencing that this loan is paid in full.

c. Letter to me of May 13, 1993 from Farm & Home Association further evidencing that this loan is paid in full.

5. At no time have I been ~~not~~ ^{Inst # 1996-14276} contacted by or received any claims from the aforesaid mortgage.

Inst # 1996-14276

05/02/1996-14276
09:05 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
006 MCD 21.00

6. This affidavit is made for the purpose of inducing Mississippi Valley Title Insurance Company and Jefferson Title Corporation to issue its policy of title insurance, both owner's and mortgagee's, without making exception for the said unsatisfied mortgage.

7. This affidavit is further to induce Leaders in Lending, LLC to make a mortgage loan to Kevin W. Johnson in the amount of \$97,800.00 for purposes of purchasing the subject property from me.

8. The said Kevin W. Johnson by execution of this affidavit agrees to purchase the subject property with knowledge that the former mortgage on the subject property has not been satisfied of record by Farm & Home Savings & Loan Association.

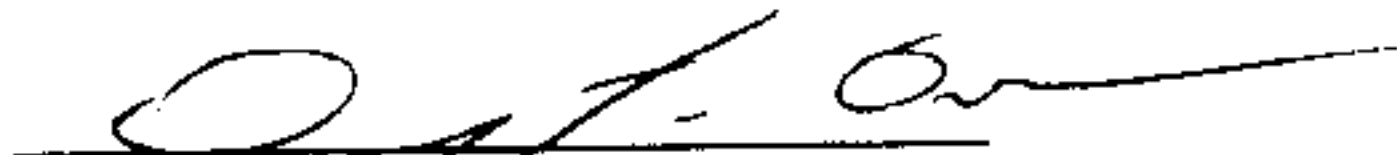


TIM G. WELLS



KEVIN W. JOHNSON

Sworn to and subscribed before me this 26th day of April, 1996.


NOTARY PUBLIC

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Aug. 27, 1996.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

LAMAR HAM
ATTORNEY AT LAW
3512 OLD MONTGOMERY HIGHWAY
BIRMINGHAM, ALABAMA 35209
March 17, 1993

TELEPHONE
(205) 878-6753

Farm & Home Savings Association
PAYOFF DEPARTMENT
P.O. Box 4371
Houston, TX 77210-4371

Re: Your Mortgagor:
Property :
Loan No. :

T. G. Wells
5577 Surrey Lane
13630108

*portion
21.80*

81420.46

*thru
4/20*

Gentlemen:

Enclosed is my check in the amount of \$ 80,766.55
which represents payment in full of the above-captioned mortgage.

I would appreciate your satisfying this mortgage on the records
of the Probate Office in the County in which the property is located.

Please return the hazard insurance policy to the agent for
cancellation and forward all cancelled papers to:

Tim George Wells
5577 Surrey Lane
Birmingham, Al 35242

Yours truly,

Lamar Ham

LH/slt
Enclosures

Farm & Home

SAVINGS ASSOCIATION

FEBRUARY 24, 1993

PAYOFF STATEMENT

SEND TO: TIM G WELLS
5577 SURREY LN

BIRMINGHAM, AL 35242

LOAN NUMBER- 13630108 STATE-AL
LOAN TYPE-CONV INS 1226929
INVESTOR -403 POOL# 50174

MORTGAGOR NAME: T. G. WELLS

NEXT PAYMENT DUE DATE: 3/01/93
INTEREST PAID THRU DATE: 2/01/93

PROPERTY ADDR: 5577 SURREY LN
BIRMINGHAM, AL 35242

THIS STATEMENT REFLECTS THE AMOUNT NEEDED TO PREPAY THIS MORTGAGE IN FULL. ONLY CASHIERS CHECK OR CERTIFIED FUNDS ARE ACCEPTABLE FOR FINAL PAYMENT. THE MONTHLY MORTGAGE PAYMENTS SHOULD BE MADE IN THE NORMAL MANNER. THE FACT THAT THE LOAN IS IN THE PROCESS OF BEING PAID IN FULL DOES NOT AFFECT THE RESPONSIBILITY OF MAKING PAYMENTS ON THE SCHEDULED DUE DATE. LATE CHARGES MUST BE INCLUDED WITH PAYMENTS RECEIVED IN OUR OFFICE 16 DAYS AFTER DUE DATE.

* STATEMENT OF ACCOUNT *

INTEREST IS COLLECTED TO THE DATE OF THE RECEIPT OF THE PAYOFF FUNDS. PLEASE ALLOW FOR MAILING TIME. ANY FUNDS OVER THE PAYOFF AMOUNT WILL BE APPLIED TO YOUR ESCROW ACCOUNT AND BE RETURNED 30 DAYS FOLLOWING THE PAYOFF.

UNPAID PRINCIPAL 79,570.45
INTEREST DUE 990.09
(FROM 2/01/93 AT 10.000%)

MORTGAGE ESCROW BAL 275.55
(ESCROW FUNDS CANNOT BE
USED TOWARDS PAYOFF)

MORTGAGE INSURANCE 34.81
ADDITIONAL FEES

PRINCIPAL AND INTEREST 748.13
MONTHLY ESCROW DEP 99.87

BALANCE DUE 80,595.35
BY 3/16/93

MORTGAGE PAYMENT 848.00

PER DIEM INTEREST IS

\$21.80

CONVIMP 1/17/94 417.73
CNTYTAX 10/01/93 371.00
HOMEOWNERS 1/16/94 338.00

WE RESERVE THE RIGHT TO CORRECT ANY PORTION OF THIS STATEMENT AT ANY TIME. ALL BALANCES MAY CHANGE IF A PAYMENT BECOMES DUE, A PAYMENT IS MADE, OR A PAYMENT IS REVERSED. WE WILL ALSO CONTINUE TO PAY ESCROW DISBURSEMENTS AS THEY BECOME DUE.

ALL REQUESTS FOR PAYOFF STATEMENTS MUST BE IN WRITING. NO PAYOFF INFORMATION WILL BE GIVEN VERBALLY.

THE ATTACHED FORM MUST BE RETURNED AT THE TIME OF PAYOFF.

PLEASE REFER TO OUR LOAN NUMBER ON ALL CORRESPONDENCE.

Farm & Home
SAVINGS ASSOCIATION

MAY 13, 1993

TIM WELLS
5577 SURREY LN
BIRMINGHAM, ALABAMA 35242

RE: LOAN #13630108
PROPERTY ADDRESS: 5577 SURREY LN
BIRMINGHAM, AL. 35242

DEAR MORTGAGOR(S):

THE ABOVE LOAN IS PAID IN FULL WITH OUR COMPANY.

PLEASE BE ADVISED THAT IT IS YOUR RESPONSIBILITY TO ADVISE YOUR INSURANCE AGENT AS TO THE DISPOSITION OF YOUR POLICY AS SOON AS POSSIBLE. CONDOMINIUM OR TOWNHOME OWNERS SHOULD NOTIFY THE ASSOCIATION THAT—THE LOAN WITH FARM AND HOME HAS BEEN PAID IN FULL.

SHOULD YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE FEEL FREE TO CONTACT OUR OFFICE.

SINCERELY,

PAYOFF DEPARTMENT

POINS

Farm & Home
SAVINGS ASSOCIATION

MAY 11, 1993

TIM WELLS
5577 SURREY LN
BIRMINGHAM ALABAMA 35242

RE: LOAN #13630108
5577 SURREY LN
BIRMINGHAM, AL. 35242

DEAR MORTGAGOR:

THE ABOVE LOAN IS PAID IN FULL WITH OUR COMPANY.

I HAVE ENCLOSED OUR CHECK REPRESENTING THE REMAINING ESCROW
BALANCE FOR THIS LOAN.

SHOULD YOU HAVE ANY QUESTIONS OR NEED FURTHER ASSISTANCE, PLEASE
FEEL FREE TO CONTACT OUR OFFICE AT 1-800-635-4297, OR
713-626-0032.

SINCERELY,

PAYOFF DEPARTMENT

Inst # 1996-14276

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09:05 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
21.00