

28605-0821

Inst # 1996-17913

AFFIDAVIT

We, DONALD W. PHILLIPS AND JENNIFER J. PHILLIPS, HUSBAND AND WIFE, the undersigned Borrowers, hereby swear and affirm to the best of knowledge, belief and understanding that the previous owner's WILLIS D. MOORE, JR. AND RONALD L. MOORE, were married men. The property described below is a vacant lot and does not now nor has it ever been the homestead of the previous owners nor is it now the homestead of the Borrower's. This affidavit is for the benefit of Land Title Company of Alabama to encourage them to issue a clear title to First Commercial Bank ("Lender") in reference to a construction loan dated of even date herewith.

LEGAL DESCRIPTION OF PROPERTY:

A PARCEL OF LAND IN THE NE ¼ OF THE SE ¼ OF SECTION 4, TOWNSHIP 20 SOUTH, RANGE 1 WEST, SHELBY COUNTY, ALABAMA; DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SAID ¼-¼ SECTION; THENCE RUN WEST ALONG THE NORTH ¼ - ¼ LINE 764.43 FEET TO THE CENTERLINE OF SHELBY COUNTY HIGHWAY #335 AND THE POINT OF BEGINNING; THENCE CONTINUE LAST COURSE 379.85 FEET, THENCE TURN LEFT 90°00'00" AND RUN SOUTH 306.55 FEET, THENCE TURN LEFT 88°46'57" AND RUN EAST 295.98 FEET TO THE CENTERLINE OF SAID HIGHWAY, THENCE TURN LEFT 76°06'27" TO THE CHORD OF SAID HIGHWAY AND RUN NORTHEAST ALONG SAID CHORD 323.67 TO THE POINT OF BEGINNING. LESS AND EXCEPT ANY PART LYING WITHIN THE RIGHT OF WAY OF SAID ROAD.

SIGNED AND AGREED TO THIS THE 21ST DAY OF MAY, 1996.

Donald W. Phillips
DONALD W. PHILLIPS

Jennifer J. Phillips
JENNIFER J. PHILLIPS

SWORN TO AND SUBSCRIBED BEFORE ME THIS THE 21ST DAY OF MAY, 1996.

Sammy A. Loftis
NOTARY PUBLIC
MY COMMISSION EXPIRES: 9/22/99

06/04/1996-17913
12:44 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 SNA 8.50