

114847

STATE OF ALABAMA
SHELBY COUNTY

AFFIDAVIT

Before me, the undersigned Notary Public for the said County and State, personally appeared C. Rigdon Hitchcock, who first being duly sworn, says as follows:

I am the Property Services Forester for U. S. Alliance Coosa Pines Corporation, successor by acquisition to Kimberly-Clark Corporation (the "Company"). I have operated in this function for the past 6 years for the Company and Successor for the Company.

The Company sold to Double Mountain, L.L.C. certain property in Shelby County, Alabama in 1994 of which a part of is the property (the "Property") described in Exhibit "A" and attached hereto. The Company owned the Property described in Exhibit "A" for a period of 29 years prior to the sale. For a period of 14 years prior to the sale it was part of my responsibilities to assist in the management of the Property. To the best of my knowledge there is no railroad right of way on or across the property.

I am making this affidavit in connection with a loan to be made by AmSouth Bank to Second Union Investors, L.L.C., the current owner of the Property, which will be secured by a mortgage on the Property. The mortgage will be insured by First American Title Insurance Company.

C. Rigdon Hitchcock
C. Rigdon Hitchcock

Sworn to and subscribed to by C. Rigdon Hitchcock before me on this day, January 8, 1998.

Martha B. Ferguson
Martha Ferguson

Inst # 1998-00693

01/09/1998-00693
09:38 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 MCD 11.00

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Inst # 1998-00693

EXHIBIT "A"

First *American Title Insurance Company*
COMMITMENT
SCHEDULE C

Agent File No.: 114847

The land referred to in this Commitment is described as follows:

A parcel of land located in the SW 1/4 of the SW 1/4 of Section 1, the NW 1/4 of the NW 1/4 of Section 12, the NE 1/4 of Section 11 and the E 1/2 of the NW 1/4 of Section 11, all located in Township 20 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the SW corner of said Section 1; thence South 0 deg. 13 min. 42 sec. East along the west line of said Section 12 a distance of 249.93 feet meas. (250.00 feet map); thence North 55 deg. 29 min. 53 sec. East a distance of 422.06 feet; thence North 20 deg. 11 min. 33 sec. East a distance of 654.08 feet; thence North 69 deg. 19 min. 10 sec. East a distance of 559.92 feet to the westerly right of way line of County Road No. 36 (80 foot right of way); thence South 3 deg. 51 min. 41 sec. East along said right of way line a distance of 39.46 feet to the beginning of a curve to the left having a radius of 850.00 feet, a central angle of 28 deg. 47 min. 19 sec. and subtended by a chord which bears South 18 deg. 15 min. 21 sec. East a distance of 422.61 feet; thence along the arc of said curve and said right of way line a distance of 427.09 feet; thence leaving said right of way South 69 deg. 19 min. 10 sec. West a distance of 320.37 feet; thence South 20 deg. 11 min. 33 sec. West a distance of 530.83 feet; thence South 49 deg. 44 min. 55 sec. West a distance of 342.61 feet; thence South 55 deg. 29 min. 53 sec. West a distance of 1010.00 feet; thence South 75 deg. 24 min. 56 sec. West a distance of 342.25 feet; thence South 50 deg. 14 min. 24 sec. West a distance of 200.00 feet; thence South 67 deg. 42 min. 21 sec. West a distance of 104.83 feet; thence South 62 deg. 25 min. 15 sec. West a distance of 610.41 feet; thence South 34 deg. 23 min. 25 sec. West a distance of 273.13 feet; thence South 53 deg. 50 min. 44 sec. West a distance of 148.29 feet; thence South 69 deg. 47 min. 28 sec. West a distance of 286.04 feet; thence South 40 deg. 10 min. 21 sec. West a distance of 263.34 feet; thence South 78 deg. 03 min. 53 sec. West a distance of 280.10 feet; thence North 80 deg. 04 min. 14 sec. West a distance of 360.74 feet; thence North 84 deg. 38 min. 46 sec. West a distance of 400.00 feet; thence North 5 deg. 21 min. 14 sec. East a distance of 205.00 feet; thence North 26 deg. 23 min. 24 sec. East a distance of 53.57 feet; thence North 0 deg. 34 min. 04 sec. East a distance of 111.00 feet; thence North 32 deg. 48 min. 56 sec. West a distance of 280.30 feet; thence North 1 deg. 36 min. 42 sec. East a distance of 326.48 feet; thence South 88 deg. 23 min. 18 sec. East a distance of 613.40 feet; thence North 1 deg. 36 min. 42 sec. East a distance of 480.54 feet; thence South 76 deg. 26 min. 59 sec. East a distance of 209.97 feet; thence North 75 deg. 37 min. 36 sec. East a distance of 314.64 feet; thence North 39 deg. 12 min. 15 sec. East a distance of 695.10 feet; thence South 88 deg. 14 min. 42 sec. East a distance of 1731.82 feet to the point of beginning.

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