

COMMONWEALTH OF VIRGINIA

COUNTY OF ROANOKE

LOST NOTE AFFIDAVIT

BEFORE ME, the undersigned authority, a Notary Public in and for said County in said State, personally appeared this day, Sharon M. Aker well known to me and known to me to be the person described herein and who being by me first duly sworn, deposes and says:

I am Assistant Secretary of FIRST UNION HOME EQUITY BANK, NA, formerly known as FIRST UNION HOME EQUITY CORPORATION. I have personal knowledge of the facts contained herein and I have authority to bind First Union Home Equity Bank, NA to the covenants contained herein.

On or about July 2, 1987, Barry L. Britton and Paulette L. Britton executed a note and mortgage to First Union Home Equity Corporation in the principal sum of Fifteen Thousand and No/100 Dollars (\$15,000.00) secured by real property located and situated in Shelby County, Alabama. On or about July 14, 1997, said note and mortgage were paid in full. Said mortgage was satisfied of record in the Probate Court of Shelby County, Alabama by instrument # 1997-36413 recorded on October 22, 1997.

At all times from July 2, 1987, until the date on which it was paid in full, the lawful owner of the note executed by Barry L. Britton and Paulette L. Britton, was First Union Home Equity Bank, NA f/k/a First Union Home Equity Corporation.

Said note a negotiable instrument, was lost under unknown circumstances.

First Union Home Equity Bank, NA has made due and diligent search for the negotiable instrument, but has not found the same.

First Union Home Equity Bank, NA has never, not has any other person to the knowledge of First Union Home Equity Bank, NA ever negotiated the above described instrument, nor ever in any manner parted with or assigned the legal or beneficial interests therein, or any part thereof.

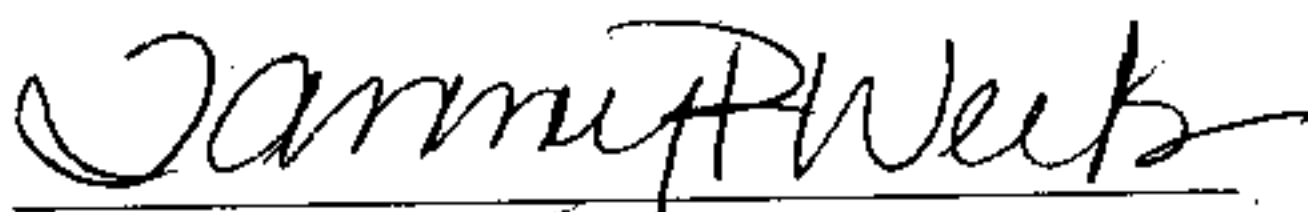
First Union Home Equity Bank, NA agrees to indemnify and hold Barry L. Britton harmless from any claim, right, title and/or interest asserted by any person in connection with the above-described note which has been PAID IN FULL.

FIRST UNION HOME EQUITY BANK, NA



SHARON M. AKER, ASSISTANT SECRETARY

Sworn to and subscribed before me this
10th day of June, 1998.


Tammy R. Weeks, Notary Public

My commission expires 7-31-99.

Inst # 1998-26117

07/09/1998-26117
01:54 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 SNA 8.50