

Inst # 1998-28652

AFFIDAVIT OF TERMINATION OF RIGHT OF FIRST REFUSAL

STATE OF ALABAMA)
COUNTY OF SHELBY)

RE: Lot 1174, according to the Survey of Brook Highland, 11th Sector, Phase II, an Eddleman Community, as recorded in Map Book 22, Page 36 A & B, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

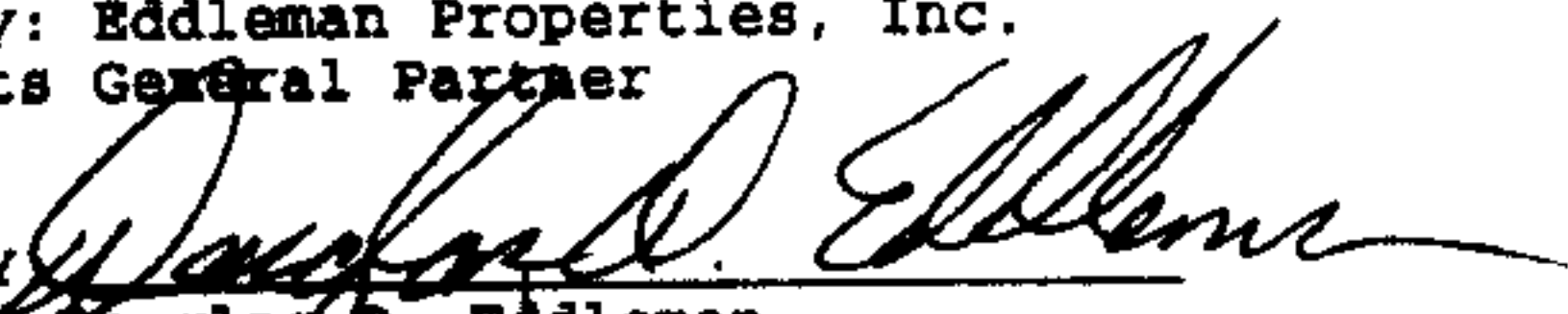
Whereas, the Undersigned Eddleman Properties, Inc., an Alabama corporation, being the grantor in that certain deed recorded in 1997-42481 in the Probate Office of Shelby County, Alabama did retain a right of first refusal to repurchase the above described property.

Whereas, The Toler Company, Inc., the Grantee has constructed a residence in compliance with the terms set forth in that certain deed recorded in 1997-42481; and Whereas, Eddleman Properties, Inc., hereby terminates its right of first refusal to repurchase the above described property so that The Toler Company, Inc. can convey the above described Lot 1174, free and clear of the right to repurchase.

Now Therefore, Eddleman Properties, Inc. hereby terminates its right of first refusal to repurchase the above described Lot 1174.

In Witness Whereof, the undersigned, Douglas D. Eddleman, as President of Eddleman Properties, Inc., has caused this termination of its right of first refusal on this the 21st day of July, 1998.

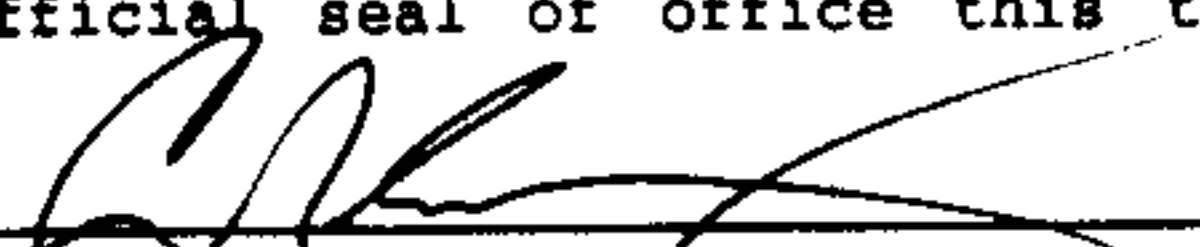
by: Eddleman Properties, Inc.
Its General Partner

BY 
Douglas D. Eddleman
President

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Douglas D. Eddleman, whose name as President of Eddleman Properties, Inc., an Alabama Corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing conveyance, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said Corporation

21 Given under my hand and official seal of office this the 21 day of July, 1998.


NOTARY PUBLIC
My Commission expires: 5-29-99

BRKHIGH1STREP

07/28/1998-28652
11:47 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 SNA 8.50

CLAYTON T. SWEENEY, ATTORNEY AT LAW