

AFFIDAVIT

STATE OF ALABAMA X
COUNTY OF SHELBY X

BEFORE ME, the undersigned Notary Public in and for said County and State, personally appeared David J. Smelcer, whose name is signed to this Affidavit and who is known to me and who being by me first duly sworn, deposes and says as follows:

My name is David J. Smelcer. It has come to my attention that a judgement has shown up on a title commitment issued by Shelby County Abstract, said file number being SS-99-6303. This is set out as Item 4, on Schedule B. Part 1 as follows; to wit:

Item 4. 1

1. Wickes Lumber vs. David Smelcer in the amount of \$9,609.38, dated December 6, 1994, recorded in Inst. No. 1995-2568. Gregory Deitsch, attorney of record for plaintiff.

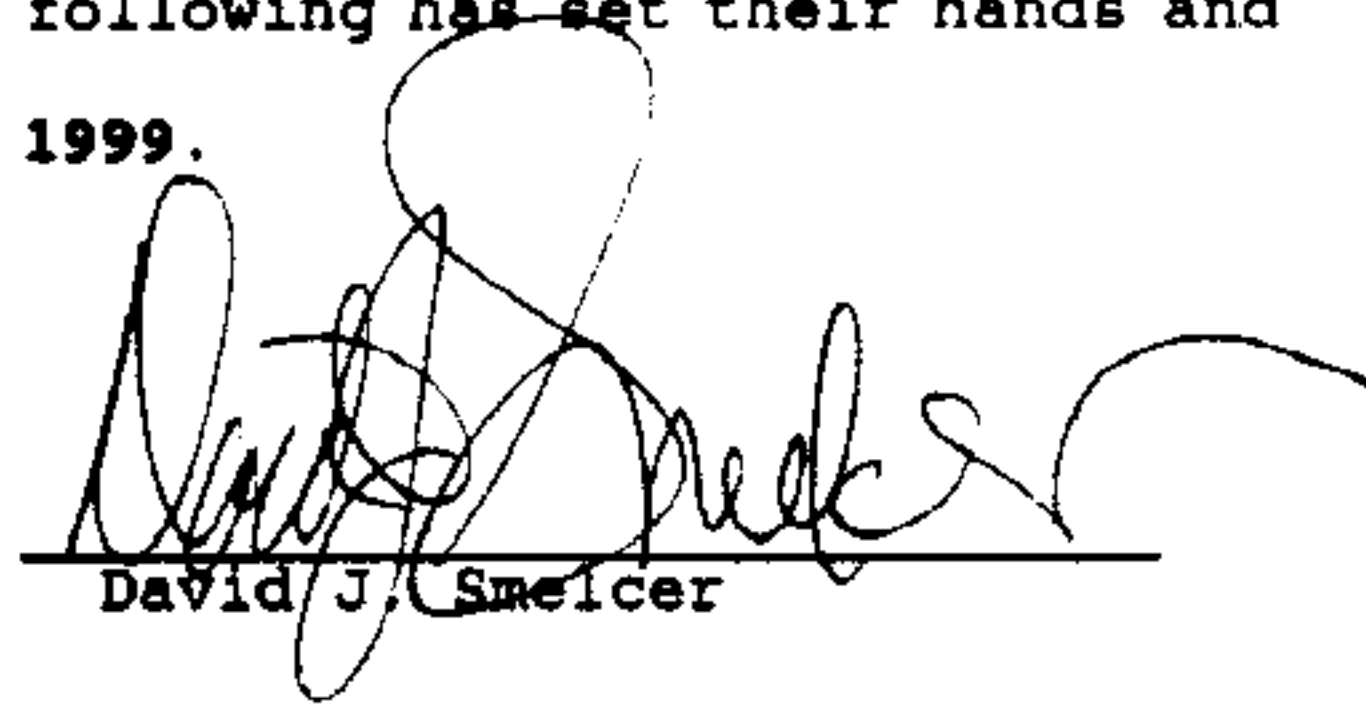
2. Issis & Sons Carpet vs. David Smelcer in the amount of \$2,788.85 plus \$83.00 costs of suit, dated January 9, 1996, recorded in Inst. No. 1996-4831. Chris Christ, attorney of record for plaintiff.

I wish to stipulate that I have always been known as David J. Smelcer and have never been known by any other name. I do not have any unpaid obligation except current bills, neither have I filed bankruptcy. I am definitely not the same person against whom said bankruptcy and/or judgements are of record.

This affidavit is given for the purpose of inducing First National Bank of Shelby County to insure the property against any such judgements and bankruptcy which may affect the title to the following described property:

Lot 7, Sector "B", according to the map of "The Homestead", as recorded in Map Book 8, Page 167 in the Probate Office of Shelby County, Alabama.

IN WITNESS WHEREOF, the following has set their hands and seals on this 22nd day of April, 1999.


David J. Smelcer

STATE OF ALABAMA X
COUNTY OF SHELBY X

Sworn to and subscribed to before me on this the 22nd day of April, 1999.




NOTARY PUBLIC
04/27/1999
02:02 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 1995 9.50
04/27/1999-17640

FNBSU

Inst # 1999-17640