

STATE OF ALABAMA )

SHELBY COUNTY )


**AFFIDAVIT**

Before me, the undersigned, personally appeared Elton B. Stephens, Jr. who, after first being duly sworn, deposes and says the following:

My name is Elton B. Stephens, Jr., I am over the age of 19 years, a resident of Jefferson County, Alabama and vice president of EBSCO Industries, Inc. ("EBSCO"). EBSCO has entered into a contract to sell the property more particularly described as follows:

Begin at the Northwest corner of the Southeast ¼ of the Southwest ¼ of Section 17, Township 19 South, Range 1 West, Shelby County, Alabama and run Southerly along the West line of said ¼-¼ section a distance of 544.87 feet; thence turn 91°03'49" left and run Easterly 1,117.35 feet to a point on the Westerly right of way line of U.S. Highway No. 280; thence turn 112°44'18" left to the tangent at said point of a curve to the right, said curve having a radius of 3,424.04 feet; thence run Northwesterly along said curve and said right of way line for 331.44 feet to a point; thence turn 19°55'25" left from the tangent to said curve at said point and run Northwesterly along said right of way 112.46 feet to a point; thence turn 22°07'03" right to the tangent at said point of a curve to the right, said curve having a radius of 3,464.04 feet; thence run Northerly along said curve and said right of way for 499.25 feet to a point; thence turn 111°40'09" left from the tangent to said curve at said point and run Southwesterly 38.81 feet; thence turn 41°00'00" right and run Northwesterly 179.93 feet; thence turn 11°51'11" left and run Westerly 282.32 feet; thence turn 53°44'10" left and run Southwesterly 465.05 feet to a point on the North line of said ¼-¼ section; thence turn 53°10'29" right and run 60.00 feet to the point of beginning.

I hereby certify the water well and/or access to the water well which is set out in the agreement between Myrtle Gullledge, et al and EBSCO Industries, Inc., dated October 27, 1998, recorded in Instrument No. 1998-426724 in the Office of the Judge of Probate of Shelby County, Alabama, is not located on the above described property.

  
Elton B. Stephens, Jr.

STATE OF ALABAMA )

JEFFERSON COUNTY )

Sworn to and subscribed before me, this the 30<sup>th</sup> day of September, 1999.

  
Notary Public

My commission expires: 8-13-00

Inst # 1999-36697

09/01/1999-36697  
10:09 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 HNS 9.50