

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 1/4 of the Southwest 1/4 of Section 17, Township 19 South, Range 1 West, Shelby County, Alabama and run Southerly along the West line of said 1/4-1/4 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 1/4-1/4 section; thence turn 53°10'29" right and run 60.00 feet to the point of beginning.

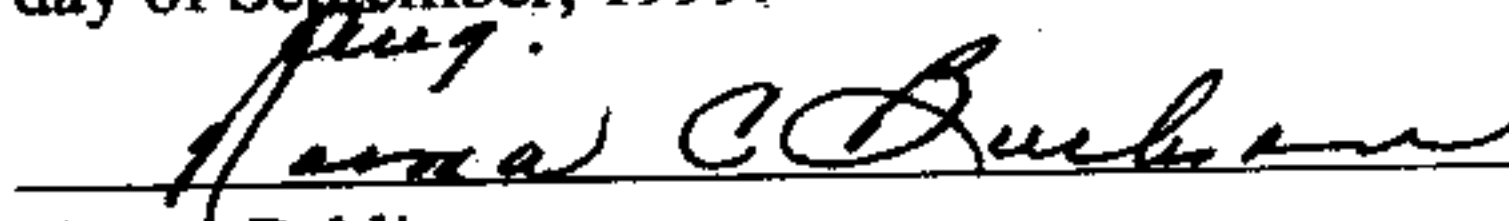
I hereby certify the water well and/or access to the water well which is set out in the agreement between Myrtle Gullledge, et al and EBSCO Industries, Inc., dated October 27, 1998, recorded in Instrument No. 1998-426724 in the Office of the Judge of Probate of Shelby County, Alabama, is not located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


Elton B. Stephens, Jr.

STATE OF ALABAMA)

JEFFERSON COUNTY)

Sworn to and subscribed before me, this the 30th 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