

THIS INSTRUMENT WAS PREPARED BY:

MIKE T. ATCHISON, ATTORNEY AT LAW
P.O. BOX 822
COLUMBIANA, ALABAMA 35051

STATE OF ALABAMA
SHELBY COUNTY

AFFIDAVIT

Before me, the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared George F. Hulsey, Jr., who after being by me first duly sworn, deposes, and says on oath as follows:

My name is George F. Hulsey, Jr., and I am over the age of 21 years and am familiar with the following facts:

My wife, Marilyn Hulsey and I are the owners of the following described property, to-wit:

A part of the NW 1/4 of the NW 1/4 of Section 10, Township 24 North, Range 15 East, being more particularly described as follows: Commence at the NE corner of said 1/4-1/4 section; thence run Southerly along the East line of said 1/4-1/4 section 792.15 feet to the intersection of said 1/4-1/4 line and the Southeasterly right of way line of Alabama State Highway #145, said intersection being the point of beginning; thence continue Southerly along said 1/4-1/4 line 425.00 feet; thence turn 128 degrees 05 minutes right and run 262.00 feet to the Southeasterly right of way line of Alabama Highway # 145; thence turn right and run Northeasterly along said right of way line 334.60 feet to the point of beginning.

On January 9, 1979, we made a mortgage to United Federal Savings and Loan Association, which said mortgage is recorded in Mortgage Book 387, page 205, in the Probate Office of Shelby County, Alabama. This mortgage was last assigned to Federal National Mortgage Association, by assignment dated November 22, 1982, as recorded in Misc. Book 50, Page 284, in the Probate Office of Shelby County, Alabama.

On April 16, 1987, we refinanced our property with First Southern Federal Savings and Loan Association, as evidenced by the mortgage recorded in Real Record 126, Page 630, in the Probate Office of Shelby County, Alabama, as subsequently assigned to Real Estate Financing, Inc., by assignment recorded in Real Record 230, page 117. At the time of the refinance, we paid off the mortgage to United Federal Savings and Loan as shown in the paragraph above.

It has come to our attention that no release of this mortgage has even been filed in the Probate Office of Shelby County, Alabama. There has never been any attempt on the part of United Federal Savings and Loan Association, Federal National Mortgage Association, or any of their successors to collect or foreclose on the above described property. We have made and continue to make an effort to obtain a release from Federal National Mortgage Association.

We do further agree to hold harmless and indemnify Shelby County Abstract & Title Company, Inc., Stewart Title Guaranty Company, and Regions Bank, against any loss or damage, including but not limited to court costs and attorneys fees, by reason of the attempted collection and/or foreclosure of the above recited unreleased mortgage.

This affidavit and indemnity is given to induce Shelby County Abstract & Title Company, Inc., to insure the proposed mortgage to Regions Bank, under its Case No. 98-99-7034.

Further the affiant saith not.


George F. Hulsey

Sworn to and subscribed to before me
this 2 day of February 2000


Notary Public

My commission expires: August 12, 2001

Inst # 2000-04331

02/11/2000-04331
08:31 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 CJ1 8.50