

This document prepared by:

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State of Alabama)
)
Shelby County)

Inst # 2000-36410
10/19/2000-36410
10:26 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 CJ1 11.00

AFFIDAVIT TO CLEAR CLOUD ON TITLE

I, Stephen D. Keith, the undersigned, closing agent for the herein described transaction with personal knowledge of the facts stated herein, certify and affirm under oath to the following:

1) I was closing agent for the sale of a certain parcel of real property by and between the Tom Lacey Construction Company, Inc. and Samuel B. Abston, II and June Abston;

2) That an incorrect description of the property was provided for the closing, to wit, the following described property, not intended to be the subject of the sale, was provided by the title company as the sale property:

Commence at the Southeast corner of the S.E. 1/4 of the S. W. 1/4 of Section 22 Township 20 South, Range 3 West, Shelby County, AL; Thence run West along the South line of said 1/4-1/4 Section a distance of 157.18 feet to the Point of Beginning; thence continue along the last described course a distance of 25.0 feet; thence turn right 88 degrees 41 minutes 24 seconds and run North a distance of 264.0 feet; thence turn right 91 degrees 18 minutes 36 seconds and run East a distance of 25.0 feet; thence turn right 88 degrees 41 minutes 24 seconds and run South a distance of 264.0 feet to the Point of Beginning.

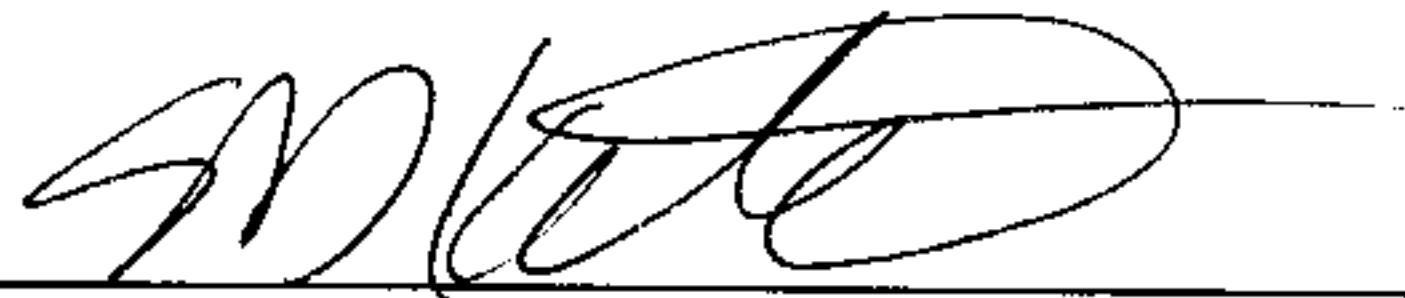
3) That a deed conveying the above-described property was executed from Faith B. Lacey to Samuel B. Abston, II and June Abston, and filed for record as Instrument Number 1998-20936 in the Probate Office of Shelby County, Alabama;

4) That a subsequent deed reconveying the Abston's interest in the property was executed and filed as Instrument Number 1998-27690 in the Probate Office of Shelby County, Alabama;

5) That said subsequent deed was prepared and filed as a precautionary measure only, given that the property had inappropriately been conveyed by a previous deed;

6) That instrument 1998/27690 should in no way constitute a cloud on the title of property described in item "2", supra.

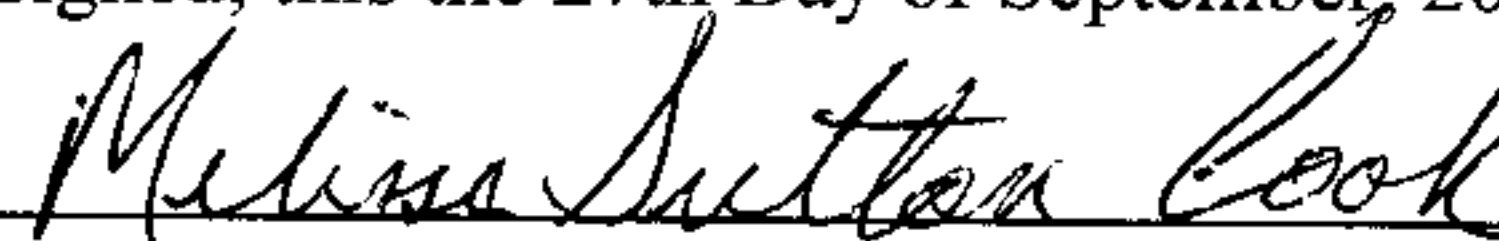
Further Affiant saith not.



Stephen D. Keith

State of Alabama)
)
Shelby County)

Subscribed and sworn to by the undersigned, this the 27th Day of September, 2000.



NOTARY PUBLIC

My Commission Expires: April 28, 2003