

STATE OF ALABAMA)
COUNTY OF SHELBY)

AFFIDAVIT

I, Gail S. Ward, a real estate agent with RealtySouth, Inc. of Birmingham, Alabama, was the real estate agent involved in selling a home, to David T. Elder and wife, Pamela K. Elder, located on a parcel of real estate located at 2001 Brae Trail, Birmingham, AL 35242. From the time of negotiating the real estate contract until November 22, 2000, the execution of the deed by Miriam E. Hand Richardson, a married woman, the house was not occupied. On the day Mrs. Richardson transferred the property to Mr. and Mrs. Elder, she did not occupy this residence as her homestead property.

I give this affidavit to induce Birmingham Title Services Corporation to insure the said property over a defective deed recorded at Instrument # 2000-40841 on November 28, 2000, which failed to state this property was not the "homestead property" of the Seller according to *Code of Alabama* §6-10-3. Further, I agree to hold Dickerson & Morse, P.C. and Birmingham Title Services Corporation harmless from any and all claims that might arise from this error.

Done this 29th day of December, 2000.

Gail S. Ward

Name : Gail S. Ward

Address: RealtySouth
1091 University Plaza
Bham AL 35242

Given under my hand and official seal this the 29th day of December, 2000.

Amie Oak
Notary Public

My Commission Expires: 04/23/04

Inst # 2001-04042

02/05/2001-04042
10:50 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MMB 11.00