

Return To:
First National Bank of O'Donnell
Mortgage Processing Center
P O Box 7152
Midland, Texas 79708

Inst # 2001-06439

02/26/2001-06439
09:40 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE

EARNEST MONEY CONTRACT AFFIDAVIT (02 CJ) 14.00

THE STATE OF TEXAS
COUNTY OF MIDLAND

BEFORE ME, the undersigned notary public in and for said County and State, on this day personally appeared Kathryn Bartz, acting as agent for First National Bank of O'Donnell Mortgage Processing Center called (FNB) and upon oath did depose and say as follows:

"My name is Kathryn Bartz and I am an agent for the following described company:

First National Bank of O'Donnell
Mortgage Processing Center
200 N. Lorraine, Suite 900
Midland, TX 79701

Phone #888-545-6683
Phone #915-620-8000
Fax #915-683-5368

FNB has entered into a contract to purchase a Promissory Note together with all liens associated therewith. FNB is referred to in such contract as the "Purchaser".

"The Seller in the subject promissory note is as follows:

Name: Richard J. Euler and Richard J. Euler, II
Address: 18202 Kenley Way
City: Birmingham, Al 35242

Incorporated herein is "Exhibit A" is attached hereto and sets out the pertinent information regarding the subject promissory note. The aforementioned contract entered into by and between FNB as "Purchaser" and the above referenced party as "Seller" states in part:

"Seller" agrees that the purchase price includes all payments, proceeds, future advances of any kind or nature under said mortgage as of the date of this contract and shall be deducted by purchaser upon closing."

"In accordance with the contract entered into by and between FNB and the above referenced seller, FNB is entitled to all future proceeds of the promissory note and mortgage set out in Exhibit "A."

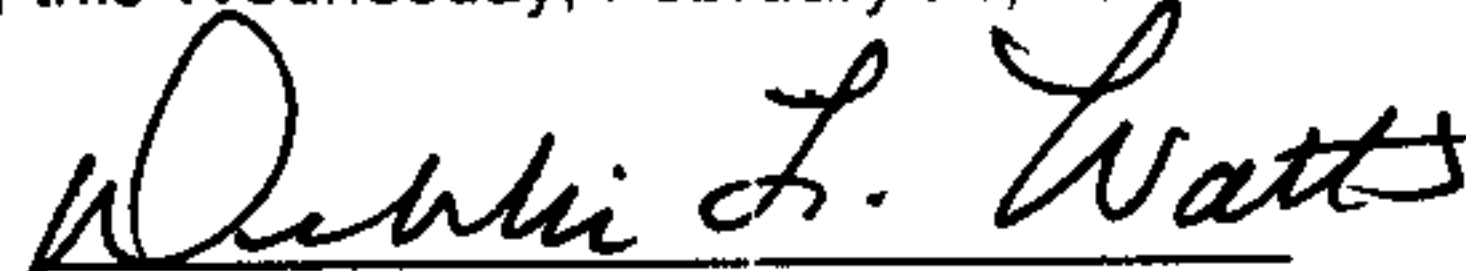
DATED Wednesday, February 21, 2001


Kathryn Bartz acting as agent for,
First National Bank of O'Donnell
Mortgage Processing Center

THE STATE OF TEXAS
COUNTY OF MIDLAND

This instrument was acknowledged before me on Wednesday, February 21, 2001, by the said Kathryn Bartz as agent for First National Bank of O'Donnell Mortgage Processing Center.

SUBSCRIBED AND SWORN TO BEFORE ME, this Wednesday, February 21, 2001.


Notary Public, State of Texas

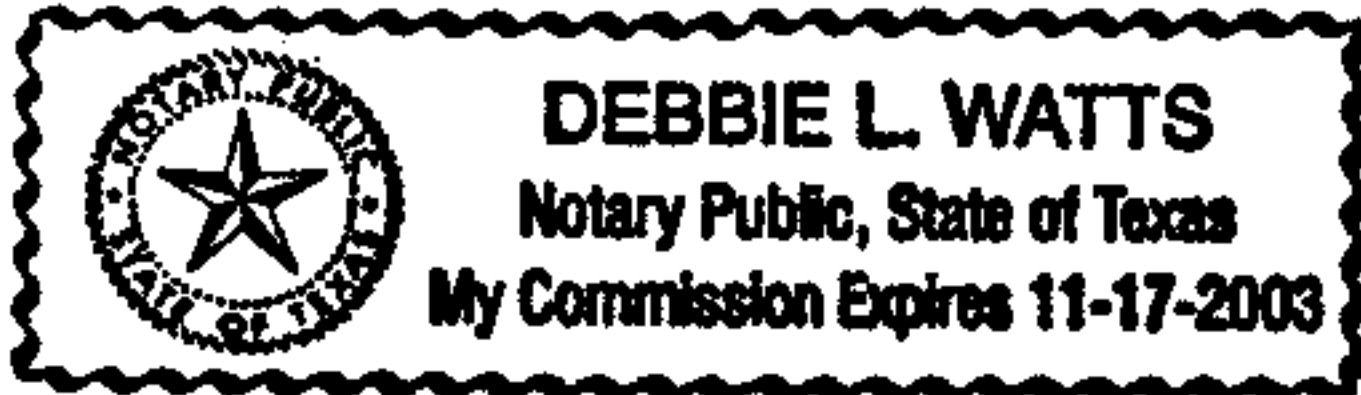


EXHIBIT "A"

LEGAL DESCRIPTION

Lot 1-A, according to a Resurvey of Lots One & Two, Block 80, of Dunstan's Map of Calera, Shelby County, Alabama, as recorded in Map Book 20, Page 119 in Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Promissory Note Description:

Dated February 19, 1997, in the amount of \$51,000.00. Maker: Frank K. Howell and wife, Michelle Howell. Holder: Richard J. Euler and Richard J. Euler, II. County of Shelby, State of Alabama.

Previous Recording Information:

Recorded in Document #1997-07711 of the County of Shelby, State of Alabama.

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