

THIS INSTRUMENT WAS PREPARED BY: MIKE T. ATCHISON, ATTORNEY AT LAW  
P.O. BOX 822  
COLUMBIANA, ALABAMA 35051

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STATE OF ALABAMA  
SHELBY COUNTY

AFFIDAVIT

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

My name is Kathy Brasher, and I am over the age of 21 years and am familiar with the following facts:

I am the present owner of the following described property, to-wit:

PARCEL I:

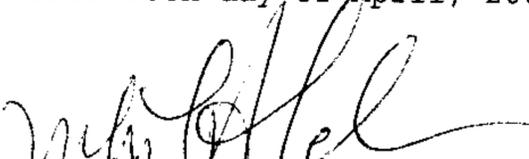
A parcel of land located in the North 1/2 of the Northeast 1/4 of Section 34, Township 21 South, Range 1 West, described as follows:  
Commence at the Northeast corner of said Section 34 and run South along the East line of said Section 874.91 feet to a point on the Northerly right of way of State Highway #25, said point being on a curve to the right, having a central angle of 29 degrees 33 minutes 19 seconds and a radius of 2332.92 feet; thence right 68 degrees 07 minutes 29 seconds to tangent of said curve and run Westerly along curve 1203.41 feet; thence run tangent to curve in a Westerly direction 216.59 feet; thence left 100 degrees 20 minutes 09 seconds and run Southerly leaving said right of way 210.00 feet to the point of beginning; thence continue Southerly along last course 210.00 feet; thence right 90 degrees and run Westerly 105.00 feet; thence right 90 degrees and run Northerly 210.00 feet; thence right 90 degrees and run Easterly 105.00 feet to the point of beginning.

I have been informed that a partial release appears of record in Instrument #1992-24754, which purports to release the above described property from that certain mortgage recorded in Real Record 187, Page 860, in the Probate Office of Shelby County, Alabama. The release does not set out the legal description for the property released, but refers to the property only by Tract Number 317825, the same Tract Number assigned to the above described parcel in the mortgage. There have been no attempts by any party to collect any indebtedness under said mortgage since 1992 when my husband, Mark Brasher purchased the property from Jim Walter Homes, Inc. I have never heard of any questioning my title to this property, nor of any attempts to collect any indebtedness due under the above recited mortgage.

Further the affiant saith not.

  
Kathy Brasher

Sworn to and subscribed to before me  
this 26th day of April, 2001.

  
Notary Public

My commission expires: 10-16-01

Inst # 2001-16638

04/30/2001-16638  
09:43 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 CJ1 11.00