

STATE OF ALABAMA                    )  
  :  
COUNTY OF SHELBY                 )


**AFFIDAVIT**

Before me, a notary public in and for said county in said state, personally appeared Moiz Fouladbakhsh who, having been duly sworn and deposed, says as follows:


1. My name is Moiz Fouladbakhsh. I am over the age of 19 years and presently reside in Shelby County, Alabama.
2. Since September 7, 1993, I have been the owner of that certain real property situated in Shelby and Jefferson Counties, Alabama which is more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Property"). Contemporaneously herewith, I have sold and conveyed the Property to Daniel Realty Company, an Alabama general partnership.
3. At no time during the period of time that I have owned the Property has any portion of the Property been utilized as either a public roadway or for access purposes in order to provide access to any other real property situated adjacent to or in close proximity with the Property and I have not authorized or granted to any third party any access rights over, across, through or upon any portion of the Property.
4. The purpose of this Affidavit is to give notice that no portion of the Property is subject to or otherwise encumbered by any access rights, easements or other agreements.

The undersigned, does hereby certify that he has personal knowledge of the matters set forth herein.

Dated March 21<sup>st</sup>, 2002.

  
Moiz Fouladbakhsh

Sworn to and subscribed before me on this 21<sup>st</sup> day of March, 2002.

  
Notary Public  
My commission expires: 3/13/2003  
Inst # 2002-13475

## EXHIBIT A

### LEGAL DESCRIPTION OF PROPERTY

A parcel of land situated in the SE ¼ of the SE ¼ of Section 23, Township 19 South, Range 3 West, Jefferson County, Alabama, and the SW ¼ of the SW ¼ of Section 24, the NW ¼ of the NW ¼ of Section 25, and the NE ¼ of Section 26, all in Township 19 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of Section 24, Township 19 South, Range 3 West; thence East along the South line of said section a distance of 416.85 feet to the POINT OF BEGINNING; thence 132°52'43" to the right in a Southwesterly direction a distance of 383.85 feet to a point; thence 19°31'45" to the left in a Southwesterly direction a distance of 358.29 feet; thence 57°22'17" to the right in a Southwesterly direction a distance of 289.73 feet to a point; thence 25°51'00" to the left in a Southwesterly direction a distance of 455.25 feet to a point; thence 73°00'00" to the left in a Southeasterly direction a distance of 387.40 feet to a point; thence 67°30'00" to the right in a Southwesterly direction a distance of 304.80 feet to a point; thence 7°45'00" to the right in a Southwesterly direction a distance of 244.00 feet to a point; thence 104°30'00" to the right in a Northwesterly direction a distance of 407.70 feet to a point; thence 73°15'00" to the right in a Northeasterly direction a distance of 43.70 feet to a point; thence 86°57'00" to the left in a Northwesterly direction a distance of 287.70 feet to a point; thence 92°22'00" to the left in a Southwesterly direction a distance of 311.30 feet to a point; thence 6°05'00" to the left in a Southwesterly direction a distance of 329.55 feet to a point; thence 19°07'00" to the right in a Southwesterly direction a distance of 300 feet, more or less, to the centerline of the Cahaba River; thence an angle to the right in a Northwesterly, Northerly and Northeasterly direction along the centerline of said Cahaba River a distance of 3403 feet, more or less, to a point at the intersection of the centerline of said Cahaba River and the Southwesterly right-of-way line of Old Montgomery Highway; thence an angle to the right in a Southeasterly direction along said right-of-way line a distance of 223.5 feet to a point; thence 90° to the right in a Southwesterly direction along said right-of-way line a distance of 50.00 feet to a point; thence 90° to the left in a Southeasterly direction along said right-of-way line a distance of 100.00 feet to a point; thence 90° to the left in a Northeasterly direction along said right-of-way line a distance of 15.00 feet to a point; thence 90° to the right in a Southeasterly direction along said right-of-way line a distance of 100 feet to a point; thence 90° to the left in a Northeasterly direction along said right-of-way line a distance of 10.00 feet to a point; thence 90° to the right in a Southeasterly direction along said right-of-way line a distance of 100.00 feet to a point; thence 90° to the left in a Northeasterly direction along said right-of-way line a distance of 10.00 feet to a point; thence 90° to the right in a Southeasterly direction along said right-of-way line a distance of 100.00 feet to a point; thence 90° to the left in a Northeasterly direction along said right-of-way line a distance of 5.00 feet to a point; thence 90° to the right in a Southeasterly direction along said right-of-way line a distance of 250.00 feet to a point; thence 90° to the left in a Northeasterly direction along said right-of-way line a distance of 35.00 feet to a point; thence 90° to the right in a Southeasterly direction along said right-of-way line a distance of 262.16 feet to a point; thence 71°22'02" to the right in a Southwesterly direction (leaving said right-of-way line) a distance of 51.07 feet to the point of beginning.