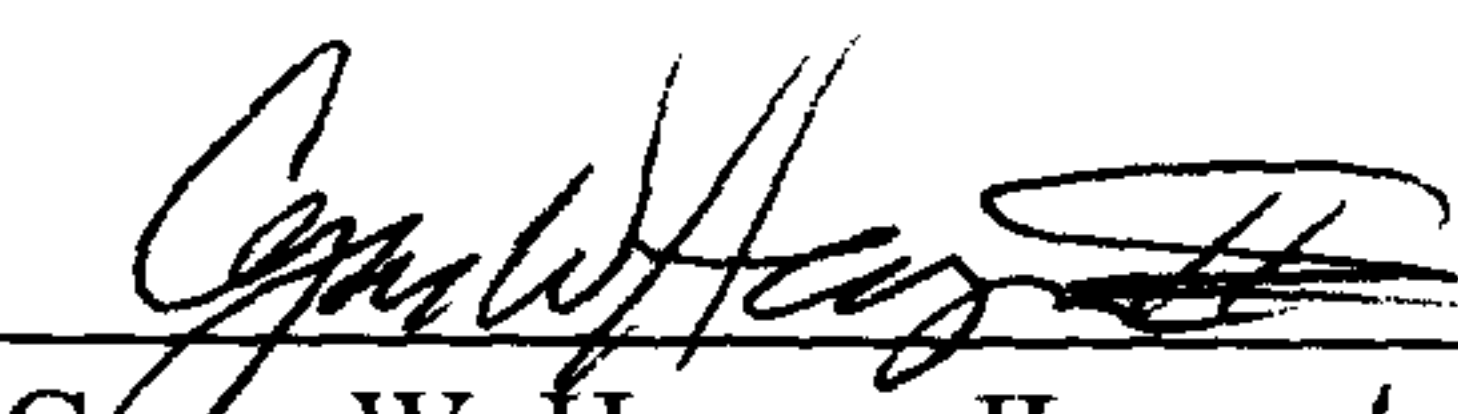



AFFIDAVIT

RE: 5510 Cedarshed Cove
Birmingham, AL 35242

We, the undersigned, Cyrus W. Harper, II and wife, Jamea M. Harper, owners of the above referenced real estate, hereby do depose and state that the mortgage given on October 9, 1998, to Equity National Mortgage, Inc., and recorded in Instrument No. 1998-40700, and transferred and assigned to AmSouth Bank in Instrument No. 1998-40701, in the Office of the Judge of Probate of Jefferson County, Alabama, has been paid off and should have been satisfied. AmSouth Bank has recorded a mortgage satisfaction, a copy of which is attached hereto as Exhibit "A", which has the incorrect recording information. The satisfaction releases Instrument No. 1998-40701. This is the instrument number for the assignment assigning the mortgage to AmSouth Bank and not the mortgage. The assignment should have released the mortgage recorded in Instrument No. 1998-40700. We have received no communication, written or oral, concerning this mortgage by anyone making any claims that this mortgage should remain unsatisfied or that any amounts remained outstanding.

In Witness Whereof, I have set my hand and seal this the 11th day of September, 2002.


Cyrus W. Harper, II

Jamea M. Harper

STATE OF ALABAMA}
JEFFERSON COUNTY|

I, the undersigned authority, a Notary Public, in and for said county and state hereby certify that Cyrus W. Harper, II and Jamea M. Harper, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 11th day of September, 2002.


NOTARY PUBLIC

My Commission Expires: 9/29/06

This instrument prepared by:
Clayton T. Sweeney, Attorney at Law
2700 Highway 280 East, Suite 160
Birmingham, AL 35223

EXHIBIT "A"

07/22/2002
AMSOUTH BANK
Satisfaction of Mortgage
STATE OF ALABAMA,
SHELBY COUNTY

0019006000000667
THIS INSTRUMENT PREPARED BY:
DONNA COOPER
AMSOUTH BANK
P.O. BOX 1984
BIRMINGHAM, AL 35201

20020731000356260 Pg 1/1 11.00
Shelby Cnty Judge of Probate, AL
07/31/2002 14:53:00 FILED/CERTIFIED

KNOWN ALL MEN BY THESE PRESENTS, That the undersigned, AmSouth Bank, successor, acknowledges full payment of the indebtedness secured by that certain mortgage executed to it by CYRUS W. HARPER II AND JAMEA M. HARPER, HUSBAND AND WIFE under date of OCTOBER 9, 1998 which said mortgage was recorded in the office of the Judge of the Probate Court of SHELBY County, Alabama, in mortgage Book No. INST# 1998-40701, at Page No. and the undersigned does further hereby release and satisfy said mortgage.

IN WITNESS WHEREOF, the undersigned, AmSouth Bank, has caused these presents to be executed this 29TH day of JULY, 2002

STATE OF ALABAMA
JEFFERSON COUNTY,

AmSouth Bank
By Nancy Roberts
LOAN OPERATIONS SUPERVISOR

I, THE UNDERSIGNED, a Notary Public, in and for said County in said State, hereby certify that NANCY ROBERTS whose name as LOAN OPERATIONS SUPERVISOR of AmSouth Bank, a corporation, is signed to the foregoing release, and who is known to me, acknowledges before me on this date that, being informed of the contents of the release, (s)he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal, this 29TH day of JULY, 2002.

Form 540048

Jessie L. Lu
4/19/06 Notary Public

20021008000491080 Pg 2/2 14.00
Shelby Cnty Judge of Probate, AL
10/08/2002 09:50:00 FILED/CERTIFIED