

AFFIDAVIT

STATE OF ALABAMA  
Shelby COUNTY

Before me, the undersigned authority in and for said County and State personally appeared John R. Holliman whose name is signed to this affidavit and who is known to me and who first being duly sworn, deposes and says as follows:

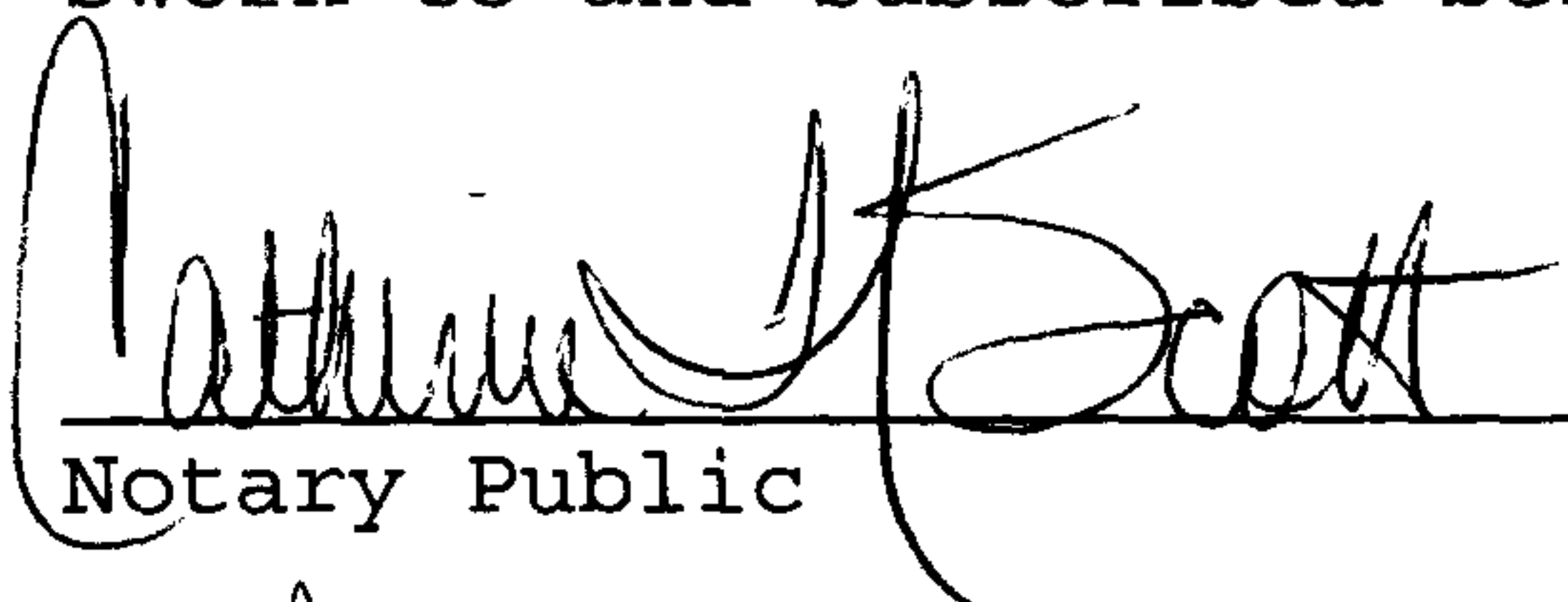
My name is John R. Holliman and I am a practicing attorney in Pelham, AL. I prepared a deed from Windhover Association, Inc. to Betty J. Kilgore recorded in 200213/5679 in Jefferson County Alabama Probate Records. There was a typographical error in the legal description in which the Unit No. was typed 7-6 instead of the correct number of Unit 6-7. The correct legal is attached as Exhibit A.

This affidavit is made for the purpose of inducing Stewart Title Guaranty Company to issue the final policy of title insurance under binder #223732.

In Witness Whereof, I have unto set my hand and seal on November 14, 2002

  
John R. Holliman

Sworn to and subscribed before me on November 14, 2002.

  
Catherine Scott  
Notary Public

My commission expires: 7-28-06

Exhibit A

20021122000583510 Pg 2/2 14.00  
Shelby Cnty Judge of Probate, AL  
11/22/2002 09:03:00 FILED/CERTIFIED

Unit 6-7, in Windhover, a Condominium located at Old Rocky Ridge Road, Jefferson County, Alabama, as established by Declaration of Condominium recorded on July 23, 1975 in Real Volume 1197, Page 689, in the Probate Office of Jefferson County, Alabama, and in Misc. Book 12, Page 1, in the Probate Office of Shelby County, Alabama, as amended by Amendments of Declaration of Condominium recorded July 31, 1975 in Real Volume 1200, Page 637, in the Office of the Judge of Probate of Jefferson County, Alabama and in Misc. Book 12, Page 196, in the Office of the Judge of Probate of Shelby County, Alabama; and as amended by instruments recorded in Real Volume 1385, Page 91 and in Real Volume 564, Page 374; Real Volume 1573, Page 594; Real Volume 1632, Page 85; Real Volume 1632, Page 93 and Real Volume 1702, Page 849, together with an undivided interest in the common elements of Windhover, A Condominium, as set out in Exhibit B attached in said Declaration of Condominium as it may have been or may hereafter be amended pursuant to said declaration, said unit being particularly detailed in the plans and drawings of said condominium as recorded in Map Book 107, Page 26, in the Probate Office of Jefferson County, Alabama, and in Map Book 6, Page 52, in the Probate Office of Shelby County, Alabama, as amended by revised or supplemental plans recorded in Map Book 107, Page 32 in the Office of Shelby County, Alabama, and amended in Map Book 111, Page 34 and Map Book 111, Page 34 and Map Book 115, Page 5 in the Probate Office of Jefferson County, Alabama