

**AFFIDAVIT OF JAMES W. FUHRMEISTER**

STATE OF ALABAMA        )

COUNTY OF SHELBY        )

Before me, the undersigned, a Notary Public in and for said county and said state, personally appeared James W. Fuhrmeister, who after being duly sworn, deposes and says as follows:

“My name is James W. Fuhrmeister and I am a practicing attorney in the State of Alabama. On March 27, 2002, I prepared a Mortgage in which Joe Edward Fuller is the mortgagor and Compass Bank is the Mortgagee. This mortgage was recorded in the Office of the Judge of Probate of Shelby County, Alabama as Instrument Number 200204-9717.

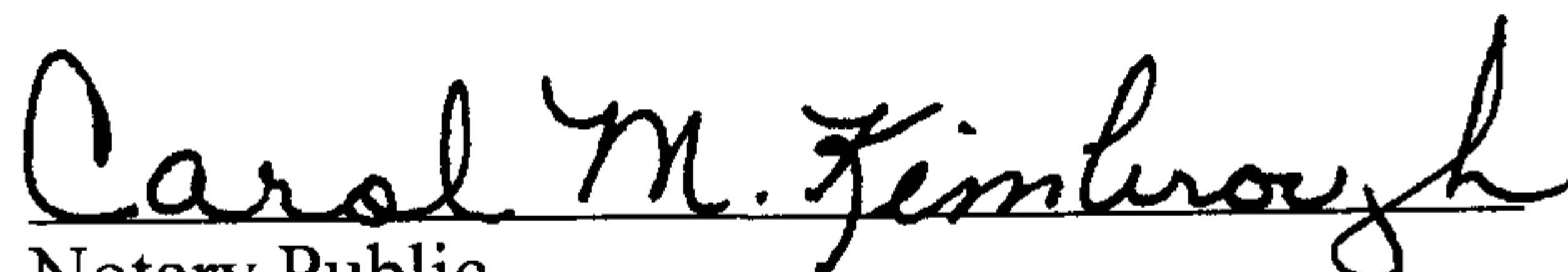
The aforesaid mortgage was recorded without stating that **“THIS IS NOT THE HOMESTEAD OF THE MORTGAGOR”**. This is commercial property and is the location of the Mortgagor’s business.

I give this affidavit of my own personal knowledge of the facts set out herein.”

In Witness Whereof, I have hereunto set my hand and seal on this the 21<sup>st</sup> day of January, 2003.

  
\_\_\_\_\_  
JAMES W. FUHRMEISTER

Sworn to and subscribed before me this 21<sup>st</sup> day of January, 2003.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 2-2-05