

**STATE OF ALABAMA
SHELBY COUNTY**

AFFIDAVIT

Personally appeared before me, the undersigned Notary Public in and for said County in said State, M. A. OZTEKIN, who being by me first duly sworn doth depose and say as follows:

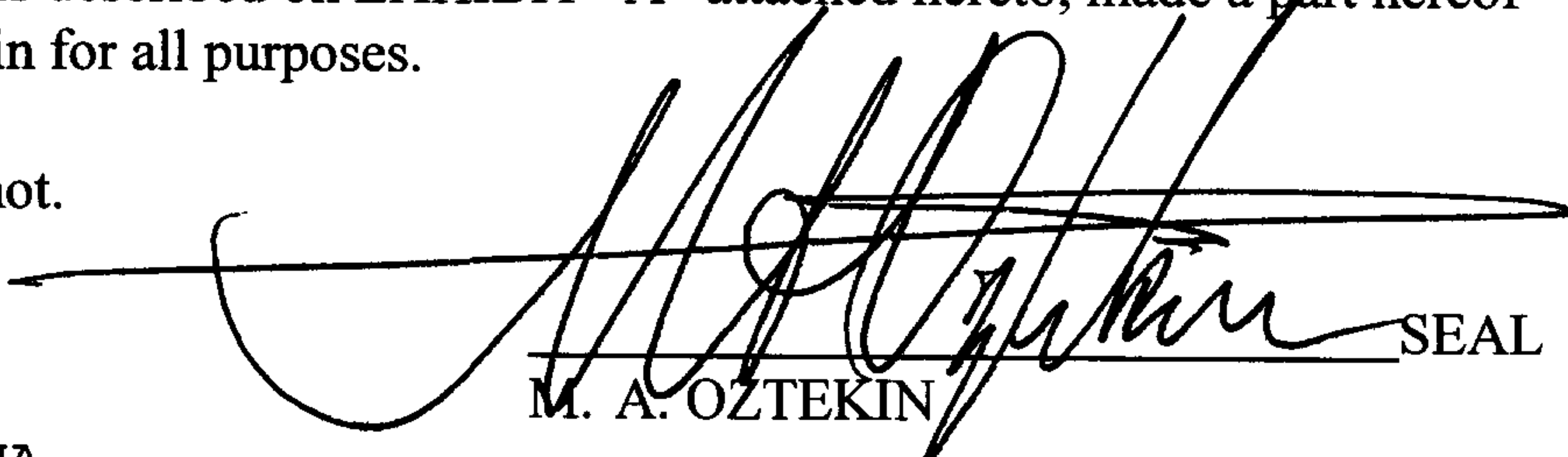
My name is M. A. OZTEKIN and I am an adult, resident citizen of Jefferson County, Alabama.

There is a deed of record in the Probate Office of Shelby County, Alabama which I prepared and it is recorded in Instrument Number 20020913000440630. The deed was executed by AYCIL D. OZTEKIN LOGAN and SUE G. OZTEKIN conveying the subject property to M. A. OZTEKIN (your Affiant) and SUE G. OZTEKIN. The deed failed to recite the marital status of the Grantors, and I give this Affidavit to correct same.

At the time of execution of the deed, AYCIL D. OZTEKIN LOGAN (my daughter) was a married person, but the subject property did not constitute her homestead, nor that of her spouse, and SUE G. OZTEKIN was and is my spouse.

The Subject Property is described on EXHIBIT "A" attached hereto, made a part hereof and incorporated herein for all purposes.

Further Affiant saith not.


M. A. OZTEKIN SEAL

STATE OF ALABAMA
JEFFERSON COUNTY

I, GENE W. GRAY, JR., a Notary Public in and for said County in said State, hereby certify that M. A. OZTEKIN whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office this 31st day of JANUARY, 2003.


Notary Public
Commission expires: 11/09/06

Prepared by:
GENE W. GRAY, JR.
2100 SOUTHBRIDGE PARKWAY SUITE 638
BIRMINGHAM, ALABAMA 35209
205 879 3400

EXHIBIT "A"

Unit 1105, building 11, in The Gables, a condominium, a condominium located in Shelby County, Alabama, as established by Declaration of Condominium, and by-laws thereto as recorded in Real Volume 10, Page 177 and amended in Real Volume 27, Page 733; Real Volume 50, Page 327 and Real Volume 50, Page 340, and rerecorded in Real Volume 165, Page 578 and amended in Real Volume 59, Page 19, and further amended by Corporate Volume 30, Page 407, and in Real Volume 96, Page 855, and Real Volume 97, Page 937, and by-laws as shown in Real Volume 27, Page 733 and then amended in Real Volume 50, Page 325, further amended by Real Volume 189, Page 222; Real Volume 222, Page 691; Real Volume 238, Page 241 and Real Volume 269, Page 270, further amended by Eleventh Amendment to Declaration of Condominium as recorded in Real Volume 284, Page 181, together with an undivided interest in the common elements as set forth in the aforesaid mentioned declaration, said unit being more particularly described in the floor plans and architectural drawings of The Gables condominium as recorded in Map Book 9, Page 41 through 44, and amended in Map Book 9, Page 135 and Map Book 10, Page 49 and further amended by Map Book 12, Page 50 in the Probate Office of Shelby County, Alabama: situated in Shelby County, Alabama.

Subject to:

Advalorem taxes due October 1, 2003.

Restrictions appearing of record in Misc. Volume 14, page 536; Misc. Volume 17, page 550 and Misc. Volume 34, page 549.

Note: This exception omits any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status or national origin as provided in 42 U.S.C. Section 3604, unless and only to the extent that the covenant (a) is not in violation of state and federal law, (b) is exempt under 42 U.S.C. Section 3607, or (c) relates to a handicap, but does not discriminate against handicapped people.

Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as recorded in Volume 4, page 464 and Volume 127, page 140.

Agreement with Blue Cross-Blue Shield recorded in Misc. Book 19, page 690.

Declaration of protective covenants, agreements, easements, charges and liens for Riverchase (Business) recorded in Misc. Book 13, Page 50, as amended by Amendment No. 1, in Misc. Book 15, Page 189 and further amended by Amendment No. 2, recorded in Misc. Book 19, Page 633, in said Probate Office.

Deed recorded in Deed Book 331, Page 757 to-wit: Said property conveyed by this instrument is hereby restricted to use as a multifamily development and related uses with a density not to exceed twelve (12) units per acre as defined in the Riverchase Architectural Committee Development Criteria for Planned Multi-Family (RR-2) District of Riverchase dated April 11, 1980, unless a change in use is authorized pursuant to the Riverchase Business Covenants, as described in Paragraph 5 in deed, said restrictions to be effective for the same period of time as the Riverchase Business Covenants.

Terms and conditions as set forth in the Declaration of Condominium By-Laws and Amendments recorded in Real Volume 10, Page 177, and amended in Corporate Volume 30, Page 407; Real 59, Page 19; Real 27, Page 733; Real Volume 50, Page 327 and Real Volume 50, Page 340 and amended by Real 50, Page 942 and further amended in Book 189, Page 222 and in Book 284, Page 181, and By-Laws amended in Real Volume 50, Page 325 in said Probate Office.

Right-of-way granted Alabama Power Company recorded in Volume 347, Page 472 and Book 220, Page 457.

Easement for installation, maintenance and operation of a sanitary sewer pipeline, as recorded in Book 97, Page 535 and Book 97, Page 541.

Easements and building line as shown on recorded map.

Right-of-way granted South Central Bell Telephone Company recorded in Real Volume 269, page 678.