

AFFIDAVIT

I, the undersigned, B. Christopher Battles, do hereby certify that we handled a closing between Buck Creek Construction, Inc. (Seller) and David B. Mooney and Alicia H. Mooney (Purchaser) for the property located at 188 Oaklyn Hills Drive, Chelsea, Alabama 35043 being more particularly described as follows:

Lot 78, according to the Survey of Final Plat of Oaklyn Hills, Phase 2, as recorded in Map Book 30, Page 17, in the Probate Office of Shelby County, Alabama.

At the time of closing on May 30, 2003, the seller conveyed the property to the purchaser and simultaneously the purchaser mortgaged the property with Wells Fargo Home Mortgage, Inc. as recorded in Instrument No. 20030606000355320 in the Probate Office of Shelby County, Alabama, being recorded June 6, 2003.

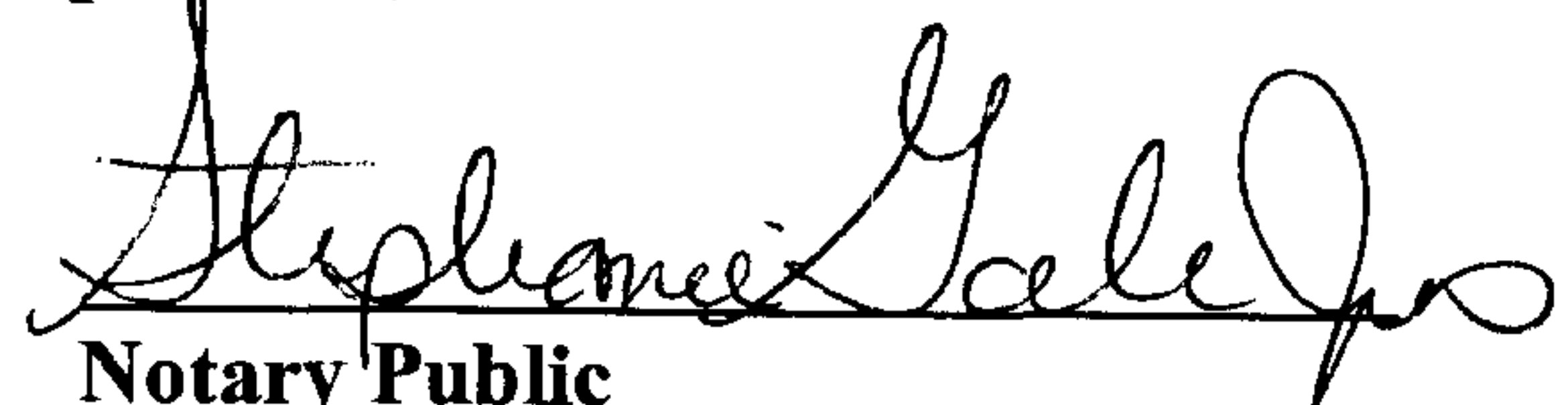
The Warranty Deed conveying said property was lost and was never recorded.

This Affidavit is being executed to certify that the conveyance of said property and the mortgaging of said property was done simultaneously.



B. Christopher Battles

Given under my hand and seal this 19th day of September, 2003.



Notary Public

My Commission Expires: 02-26-05