

SPECIAL WARRANTY DEED

STATE OF ALABAMA }  
 }  
 Shelby COUNTY }

To All To Whom These Presents Shall Come, Greetings:

BE IT KNOWN THAT in consideration of TWO HUNDRED AND FORTY SIX THOUSAND Dollars (\$246,000.00 ) to the undersigned Grantor in hand paid by the Grantee herein, the receipt and sufficiency whereof is hereby acknowledged, N.P. Dodge, Jr., as trustee under the trust agreement dated the 14th day of October, 1985, and known as the Trust between National Equity, Inc., a Nebraska Corporation and N.P. Dodge, Jr. (herein referred to as "Grantor"), has bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto Mark L. Young and Kelly L. Young (herein referred to as "Grantee(s)"), the following described real estate, situated in SHELBY County, Alabama, to-wit: \* Mark L. Young and Kelly L. Young

Lot 4 according to the Survey of Silverleaf, Phase I as recorded in Map Book 24, Page 16, Shelby County, Alabama Records.

Subject to easements, restrictions, covenants, agreements, and mineral exceptions (if any) of record.

TO HAVE AND TO HOLD to the said Grantee(s), his/her/their heirs and assigns forever.

And I do, for myself and for my heirs, executors and administrators covenant with the said Grantee, his/her/their heirs and assigns, that I am lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I have a good right to sell and convey the same as aforesaid. And I do, as GRANTOR, bind myself and my successors to warrant and defend the title against our acts and none others, subject to the matters above set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 27 day of AUGUST, 2003.

Myrna J. Johnson (SEAL)  
Witness Myrna J. Johnson  
Maryanne Tomasiewicz (SEAL)  
Witness MARYANNE TOMASIEWICZ

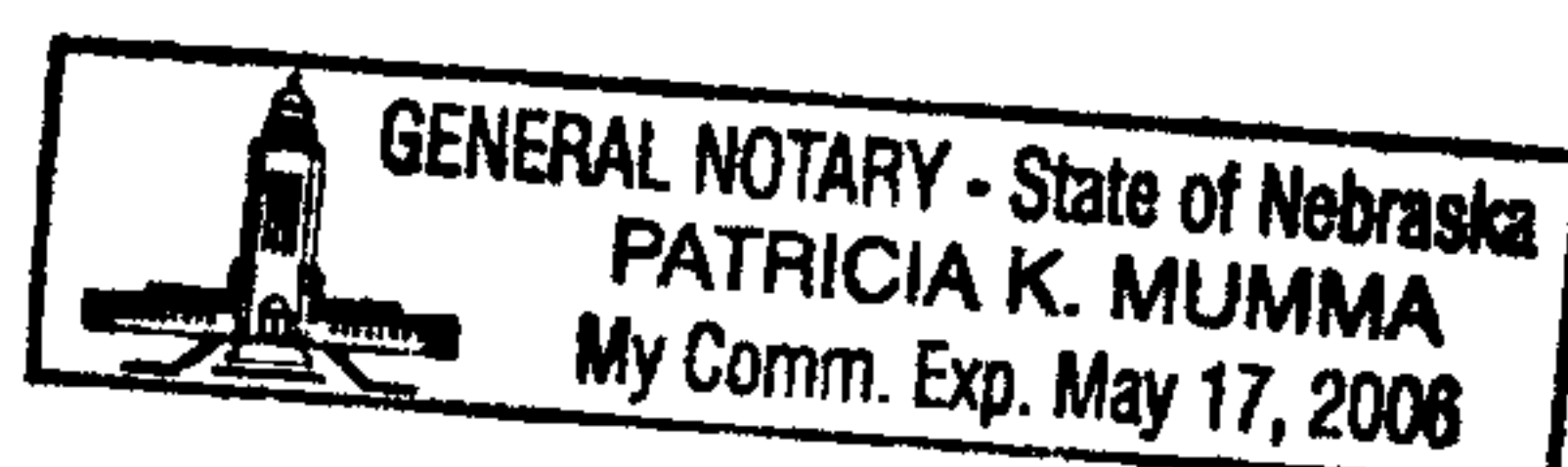
N.P. Dodge, Jr. Trustee (SEAL)  
N. P. DODGE, JR., TRUSTEE

State of Nebraska }  
 }ss  
 Douglas County }

General Acknowledgement

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that N. P. DODGE, JR., TRUSTEE, 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, as such office and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official day this 20th day of August A.D. 2003.



Patricia K. Mumma  
Notary Public  
My commission expires: May 17, 2006

This instrument was prepared by:

National Equity, Inc.  
8701 West Dodge Road  
Omaha, NE 68114

AFFIDAVIT OF TITLE

STATE OF:  
CITY OF:

The undersigned say(s) under oath:

1. **Representations** - If only one person signs this affidavit, the words "we", "us" and "our" shall mean "I", "me" and "my". The statements in this affidavit are true to the best of our knowledge, information and belief.

2. **Ownership and Possession** - We are the only owners of property located at 112 Silverleaf Drive, Pelham, AL 35124 called "this property".

We are in sole possession of this property. There are no tenants or other occupants of this property. We have owned this property since 08/03. Since then no one has questioned our ownership or right to possession. We have never owned any property, which is next to this property. Except for our agreement with the Buyers, we have not signed any contracts to sell this property. We have not given anyone else any rights concerning the purchase or lease of this property.

3. **Improvements** - No additions, alterations or improvements are now being made or have been made to this property since 08/03. We have always obtained all necessary permits and certificates of this property have been paid in full. No building, addition, extension or alteration on this property has been made or worked on within the past four months. We are not aware that anyone has filed or intends to file a mechanic's lien or building contract relating to this property. No one has notified us that money is due and owing for construction, alteration or repair work on this property.

4. **Liens or Encumbrances** - We have not allowed any interests (legal rights) to be created which affect our ownership or use of this property. No other persons have legal rights in this property, except the rights of utility companies to use this property along the road or for the purpose of serving this property. There are no pending lawsuits or judgments against us or other legal obligations, which may be enforced against this property. No bankruptcy or insolvency proceedings have been started by or against us. We have never been declared bankrupt. No one has any security interest in any personal property or fixtures included in this sale. All liens (legal claims, such as judgments) listed on the attached judgment or lien search are not against us, but against others with similar names.

5. **Exceptions and Additions** - The following is a complete list of exceptions and additions to the above statements. This includes all liens or mortgages, which are not being paid off as a result of this sale.

6. **Reliance** - We make this affidavit in order to induce the Buyer(s) to accept our deed. We are aware that the Buyer(s) and their Mortgage lender rely on our truthfulness and the statements made in this affidavit.

N. P. Dodge, Jr., Trustee in Debra C. Dodge, Trustee  
N. P. Dodge, Jr., Trustee, Seller  
in Allen - in fact

State of Nebraska )  
County of Douglas )ss  
)

On August 20, 2003, before me, Patricia K. Mumma (insert Notary name) Notary Public, personally appeared Debra Anninos  
National Equity, Inc. as Attorney-in-fact for N. P. Dodge, Jr., Trustee personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me all that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal at the City of Omaha in said County on the date first above written.



affix seal

Patricia K. Mumma  
Notary Public  
My commission expires on: May 17, 2006

Prepared by: National Equity, Inc.  
8701 W. Dodge Road  
Omaha, NE 68114

### TRUSTEE'S CERTIFICATE

The undersigned being a Trustee under a Trust Agreement dated October 14, 1985, (hereinafter the "Trust"), made by and between National Equity, Inc., a Nebraska corporation and N. P. Dodge, Jr. of Omaha, Nebraska, does hereby certify as follows:

1. That the Trust Agreement was amended on May 21, 2002 to provide for Leslie A. Delperdang as an additional trustee under such Trust Agreement to serve along with N.P. Dodge, Jr.
2. That N. P. Dodge, Jr. and Leslie A. Delperdang are the current and sole Trustees of the aforesaid Trust.
3. That the aforesaid Trust has not been revoked or terminated, and remains in full force and effect.
4. That either Trustee is individually authorized to sell, convey, pledge, mortgage, lease, or transfer title to any interest in the legally described as:

Lot 4 according to the Survey of Silverleaf, Phase I as recorded in Map Book 24, Page 16, Shelby County, Alabama Records.

and commonly known as: 112 Silverleaf Drive, Pelham, AL 35124.

and has the authority to execute and deliver any and all documents which the said Trustee may, in their discretion, deem necessary to sell and convey said premises.

5. The statements contained in this Trustee's Certificate are true and correct and there are no other provisions in the Trust Instrument or amendments to it that limit the powers of the Trustee(s) to sell, convey, pledge, mortgage, lease, or transfer title to in interests in real or personal property.

Executed as a sealed instrument this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

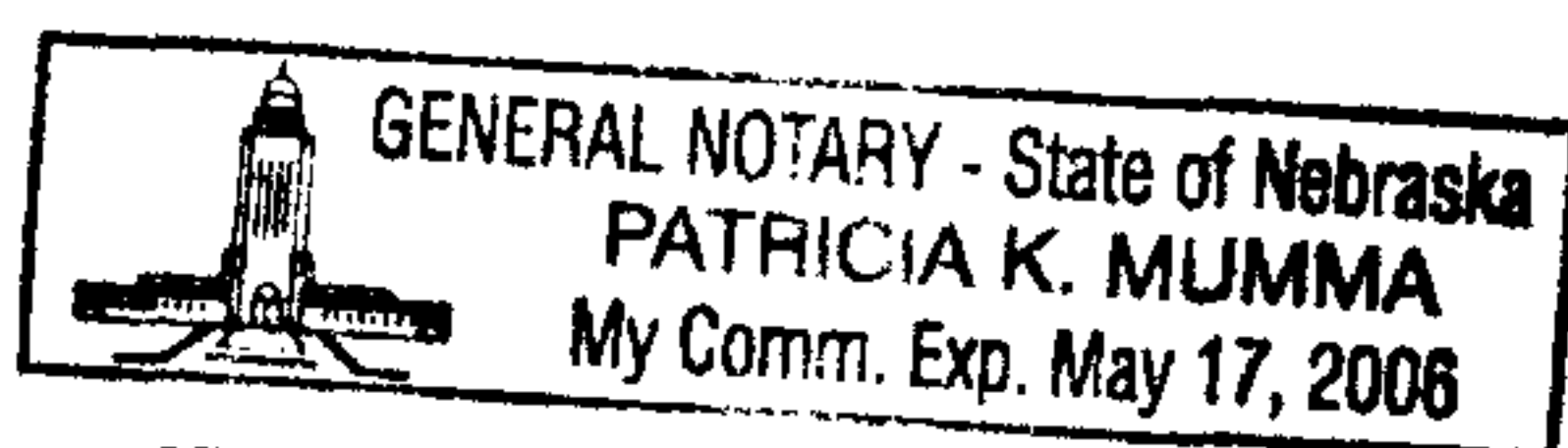
Affiant:

N.P. Dodge, Jr. Trustee  
N.P. Dodge, Jr., Trustee

State of Nebraska )  
                                  )ss  
County of Douglas )

On August 20, 2003, before me, Patricia K. Mumma (insert Notary name) Notary Public, personally appeared N.P. Dodge, Jr., Trustee personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me all that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal at the City of Omaha in said County on the date first above written.



affix

Patricia K. Mumma  
Notary Public  
My commission expires on: May 17, 2006 seal



LIEN GUARANTY

TO WHOM IT MAY CONCERN:

This is written evidence to you that there are no unpaid bills for material or labor furnished for the construction and erection, repairs or improvements on property located at 112 Silverleaf Drive, Pelham, AL 35124, and legally described as:

Lot 4 according to the Survey of Silverleaf, Phase I as recorded in Map Book 24, Page 16, Shelby County, Alabama Records.

We further represent that there have been no public improvements affecting the property prior to the date of closing that would give rise to a special property tax assessment against the property after the date of closing.

We further agree to fully indemnify you against any and all possible payments or expense of legal action in regard to mechanics' liens that may be filed upon the above described property after the date of closing, provided such liens or expense relate to obligations incurred by us prior to the date of closing.

This agreement is executed with and forms a part of the sale of the above-described premises, and is given in addition to the conveyance of the premises in consideration for the conveyance and forms a complete agreement by itself for any action thereon.

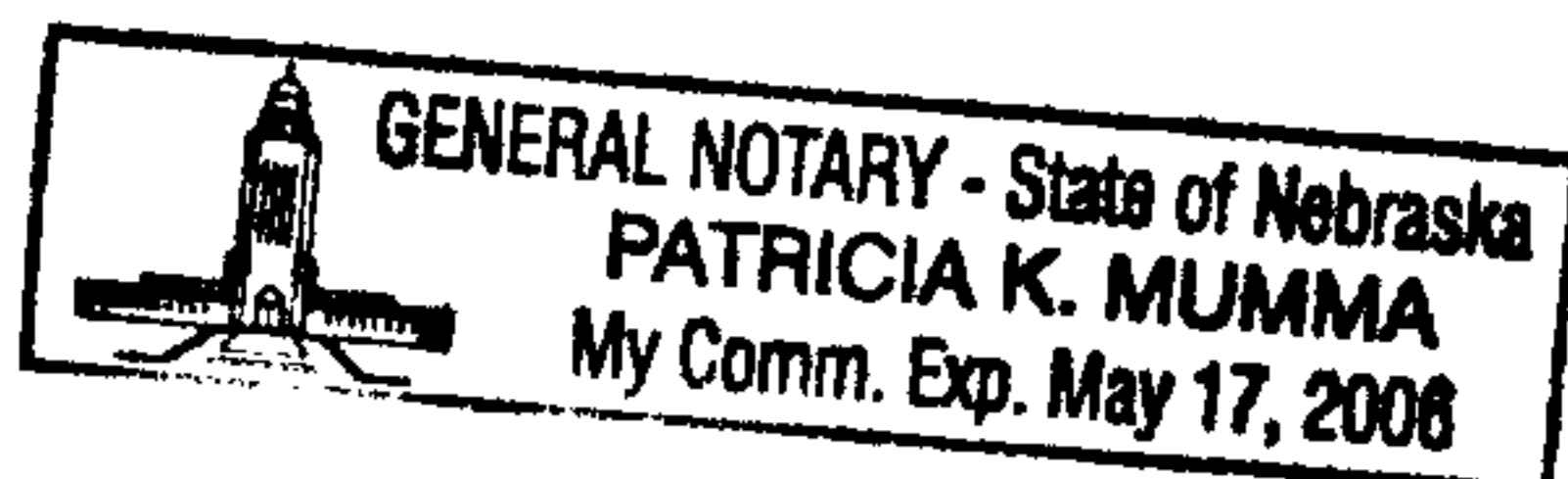
This LIEN GUARANTY applies to the above-described property through 08/03

N. P. Dodge, Jr. Trustee by  
Debra A. Mumma  
N. P. DODGE, JR., TRUSTEE, Seller  
CS Allen - & Son

State of Nebraska )  
County of Douglas )ss  
)

On August 20, 2003, before me, Patricia K. Mumma (insert Notary name) Notary Public, personally appeared Debra A. Mumma National Equity, Inc. as Attorney-in-fact for N. P. Dodge, Jr., Trustee personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me all that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal at the City of Omaha in said County on the date first above written.



affix seal

Patricia K. Mumma  
Notary Public  
My commission expires on: May 17, 2006

LIMITED POWER OF ATTORNEY AND AUTHORIZATION

State of NEBRASKA )  
 )ss  
County of DOUGLAS )

KNOW ALL MEN BY THESE PRESENTS:

That N. P. DODGE, JR., TRUSTEE, hereby constitute(s) and appoint(s) National Equity, Inc., of Omaha, Nebraska, as true and lawful Attorney in Fact of the undersigned and authorizes said Attorney in Fact to act in name, place and stead of the undersigned, but NEVERTHELESS LIMITED to the following:

To Close and convey title on the herein described property as Attorney in Fact, and to execute and/or deliver all necessary closing documents (including but not limited to a Limited Power of Attorney given to a real estate agent to execute and/or deliver all necessary closing documents) in connection therewith for that sole purpose.

It is intended that this shall be a LIMITED POWER OF ATTORNEY for the purpose of closing title to real estate commonly known as: 112 Silverleaf Drive, Pelham, AL 35124 and legally described as:

LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT A

This Power of Attorney shall not be revoked by the incompetency of the principal, shall not terminate on the disability of the principal and may be voluntarily revoked only by revocation filed in the County Clerk's Office of the county where the property is located.

National Equity, Inc. is authorized to receive the proceeds from the sale of the above referenced property and to receive payment of the purchase price, prorate of taxes and insurance, escrows, if any, proceeds of any loans secured by the buyer, and any and all funds due from the sale of the property.

All parties involved in distributing any of the above referenced monies are hereby authorized to make all payments payable to National Equity, Inc.

IN WITNESS WHEREOF, the hand of the undersigned is affixed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Patricia Bond  
Witness

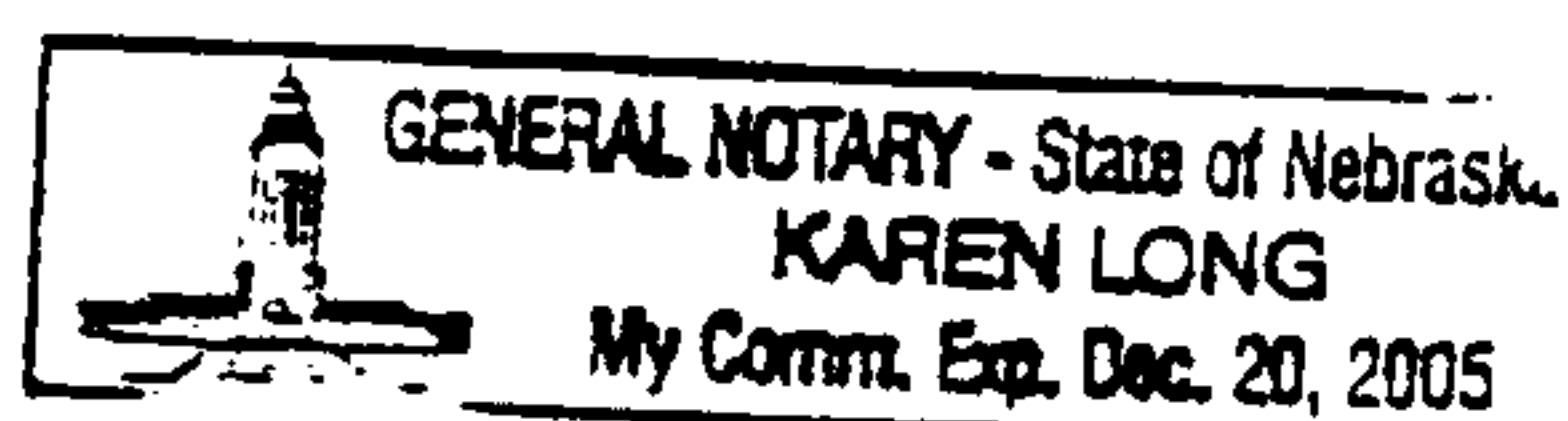
N. P. Dodge, Jr., Trustee  
N. P. DODGE, JR., TRUSTEE

Nancy H. Godwin  
Witness

State of NEBRASKA )  
 )ss  
County of DOUGLAS )

On 7/1/03 before me, Karen Long (insert Notary name) Notary Public, personally appeared N. P. DODGE, JR., TRUSTEE, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me all that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal at the City of Omaha in said County on the date first above written.



Karen Long  
Notary Public  
My commission expires on: 12/20/05

affix seal

**EXHIBIT "A"**

Lot 4 according to the Survey of Silverleaf, Phase I as recorded in Map Book 24, Page 16, Shelby County, Alabama Records.