

AFFIDAVIT

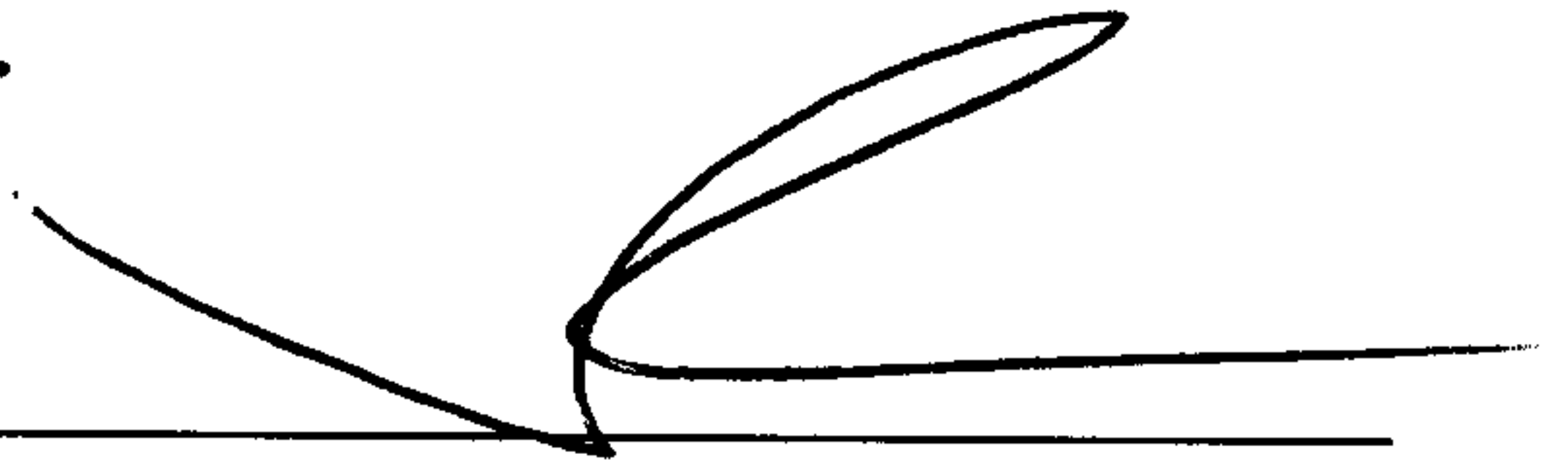
I, the undersigned, B. Christopher Battles, do hereby certify that we handled a closing between Second Union Investors, LLC (Seller) and Buck Creek Construction, Inc. (Purchaser) for the property being more particularly described as follows:

Lot 91, according to the Survey of Final Plat 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 March 6, 2003, the seller conveyed the property to the purchaser and simultaneously the purchaser mortgaged the property with Compass Bank as recorded in Instrument No. 2003-14952 in the Probate Office of Shelby County, Alabama.

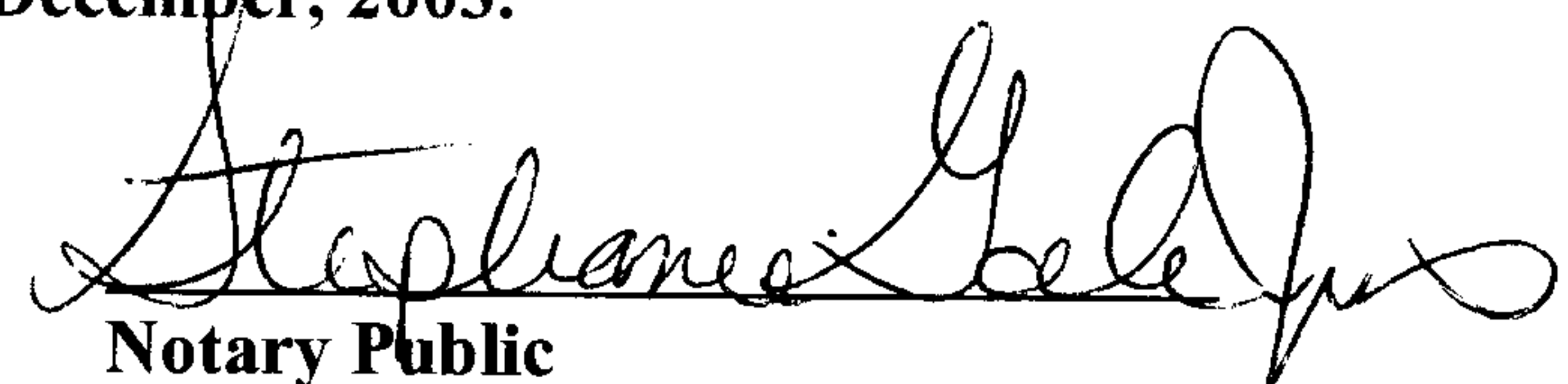
The Warranty Deed conveying said property was lost and was never recorded.

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 5th day of December, 2003.



Notary Public
My Commission Expires: 02-26-05