

AFFIDAVIT

STATE OF ALABAMA
Shelby COUNTY

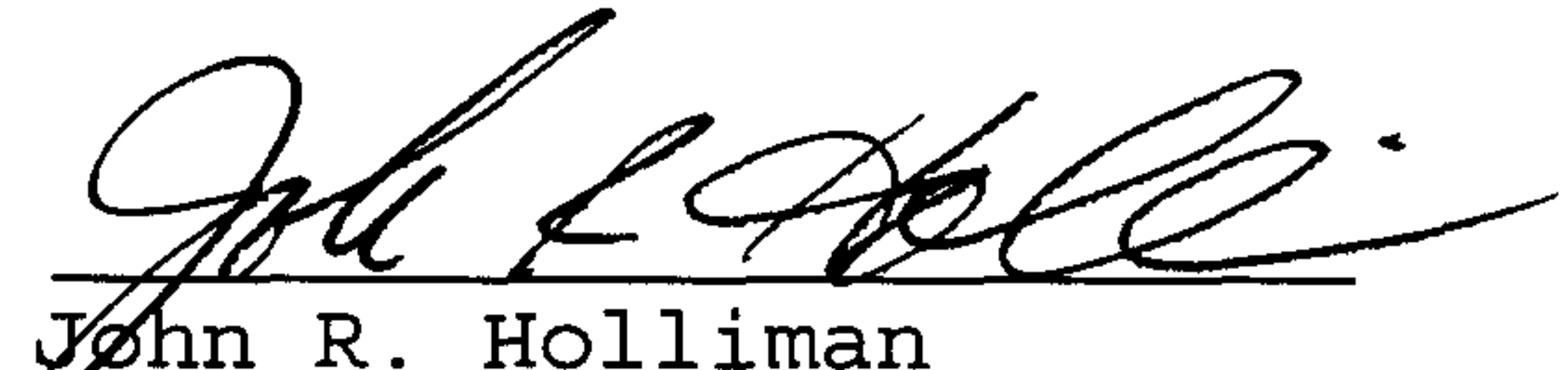
Before me, the undersigned authority in and for said County and State personally appeared John R. Holliman whose name is signed to this affidavit and who is known to me and who first being duly sworn, deposes and says as follows:

My name is John R. Holliman and I am a practicing attorney in Shelby County, Alabama. I prepared a deed from H & T Homebuilders, Inc. to Theresa S. Cook and Mark D. Cook recorded in Inst. No. 20030903000585010 and a mortgage from Theresa S. Cook and Mark D. Cook to Compass Bank, recorded in Inst#20030903000585020 in Shelby County Probate Records.

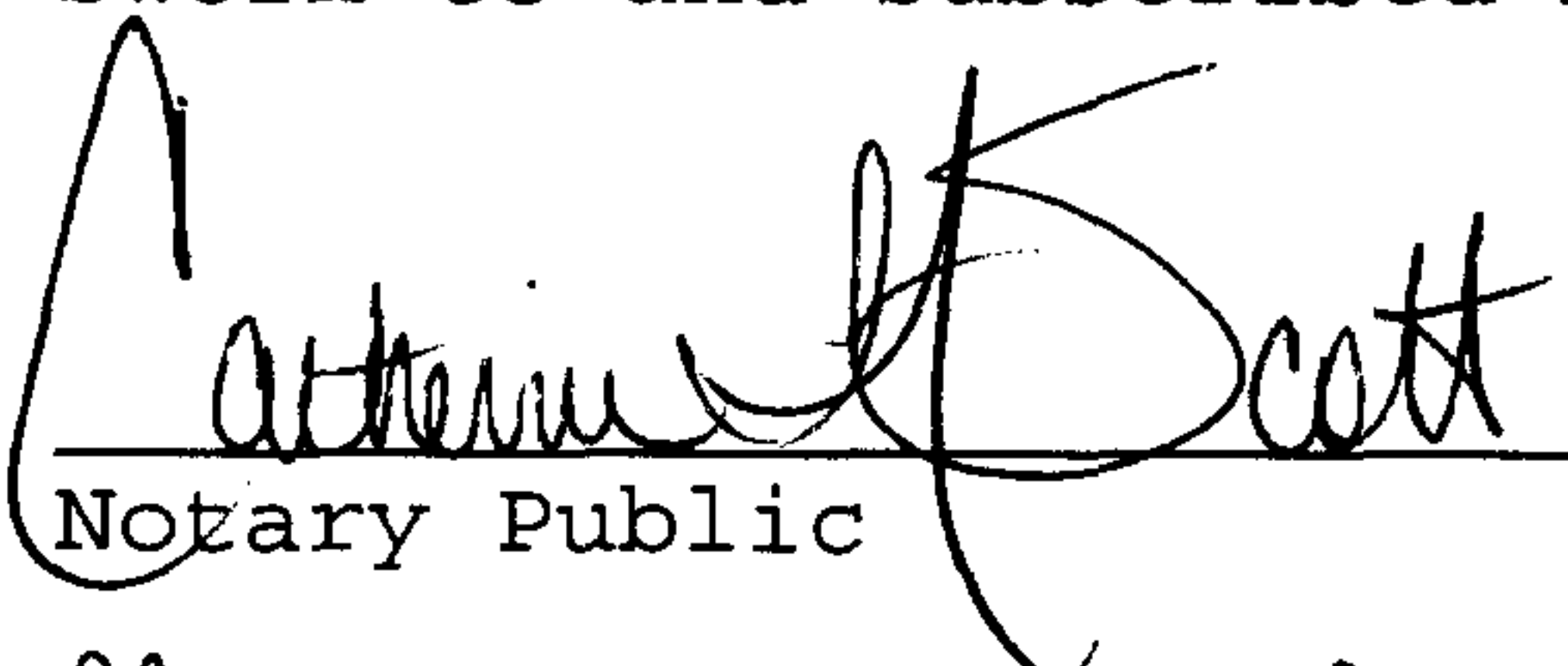
A resurvey of Lots 9 and 10 Emerald Parc Subdivision was recorded immediately prior to the closing causing Lot 10 Emerald Parc to become as described on the attached Exhibit A, the survey of Walter Wickstrom dated 8/22/03.

This affidavit is made for the purpose of stating the correct legal description for the aforementioned deed and mortgage should be as listed on Exhibit A.

In Witness Whereof, I have unto set my hand and seal
on January 7, 2004.


John R. Holliman

Sworn to and subscribed before me on January 7, 2004.

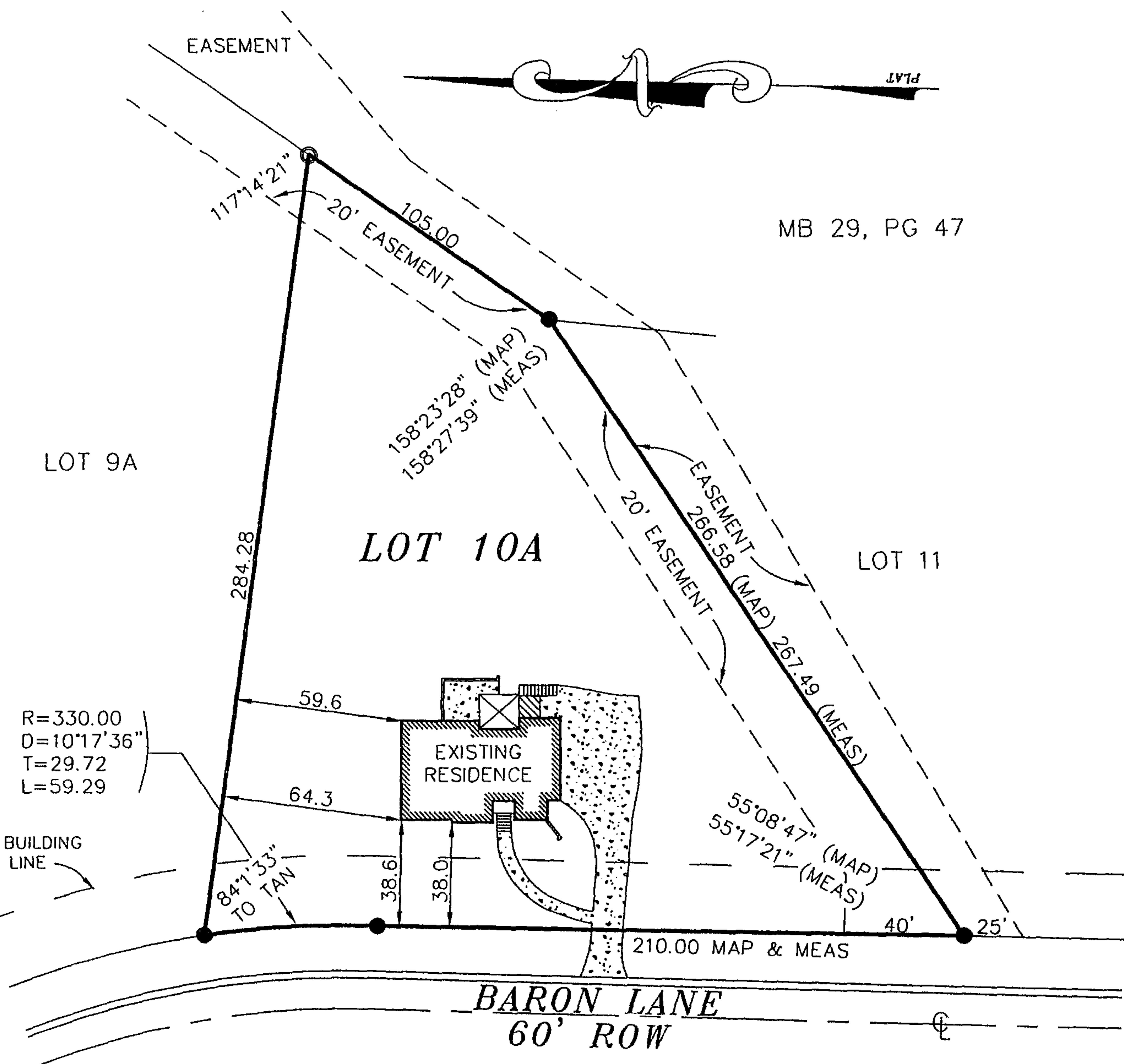

Notary Public

My commission expires: 7-28-06

Holliman

STATE OF ALABAMA
COUNTY OF SHELBY

LOT 21



Survey of Lot 10A, Block according to A RESURVEY OF LOTS 9 AND 10
EMERALD PARC AS RECORDED IN MB 29, PG 47, as recorded in the Office of the Judge of
Probate of afore-said County in Plat Book 31, Page 123: The address based on
reliable information and sources of said Lot is 1005 BARON LANE
 , Alabama and is INSIDE the corporate limits of
the CITY OF CHELSEA: That said lot lies in Zone 'C', according to
F.I.R.M. Community-Panel Number 010191 0080 B Dated SEPT. 16, 1982 *

SURVEY FOR: THERESA S. & MARK D. COOK

REQUESTED BY: RODNEY DAVIS

TYPE OF SURVEY: MORTGAGE SURVEY

DATE OF FIELD SURVEY: 8/22/03

* AS STATED ON RECORD MAP

LEGEND

- | | |
|-------------------------------------|--|
| 1 - CONCRETE MONUMENT FOUND. | ● - IRON PIN FOUND 1/2" OUTSIDE DIAMETER |
| ○ - PK NAIL FOUND | -U- - OVERHEAD UTILITY LINE(S). |
| ⊙ - # 5 REBAR SET WITH CAP STAMPED. | -X- - FENCE. |
| ⊖ - PK NAIL SET | ▒ - CONCRETE. |
| ⊕ - UTILITY POLE. | - - NOT TO SCALE. |
| ▒ - BRICK WALL | AC - ACRES. |
| ▒ - WOOD DECK | CL - CENTERLINE |
| ▒ - COVERED WOOD DECK | ESM'T - EASEMENT. |
| ▒ - SCREENED IN DECK | M B L - MINIMUM BUILDING LINE |
| | ROW - RIGHT OF WAY. |
| | — - CONCRETE BLOCK WALL |
| | — - BRICK WALL |

SCALE: 1" = 60'

BASIS OF BEARING USED: PLAT

SOURCE OF INFORMATION USED IN MAKING THIS SURVEY IS:
RECORD MAP

JOB # 7575

DATE: 8/25/03

DRAWN: SDM

CHECKED: WWW

SHEET NO 1 of 1

PREPARED BY:

R. C. FARMER
and
ASSOCIATES, INC.
246 YEAGER PARKWAY
PELHAM, ALABAMA
35124TEL-205-664-2566
FAX-205-664-2616I HEREBY STATE THAT ALL PARTS OF THIS SURVEY AND
DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE
CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE
FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST
OF MY KNOWLEDGE, INFORMATION, AND BELIEF.*Walter W. Wickstrom, Jr.*