

AFFIDAVIT

20040216000078790 Pg 1/1 11.00
Shelby Cnty Judge of Probate, AL
02/16/2004 10:57:00 FILED/CERTIFIED

STATE OF ALABAMA)

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, that before me personally appeared, VANCE J. PLUMB, TRUSTEE of the TARA VANESSA PLUMB TRUST DATED OCTOBER 25, 1995 ("Affiant") Grantor of the following described real estate situated in Shelby County, Alabama, to wit:

Lot 25, according to the Survey of The Highlands, Second Sector, as recorded in Map Book 18, Page 48, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama. Mineral and mining rights excepted.


The Affiant personally states as follows:

That he is this day executing a Warranty Deed to J. Powers Construction, L.L.C. to transfer the property described herein; and

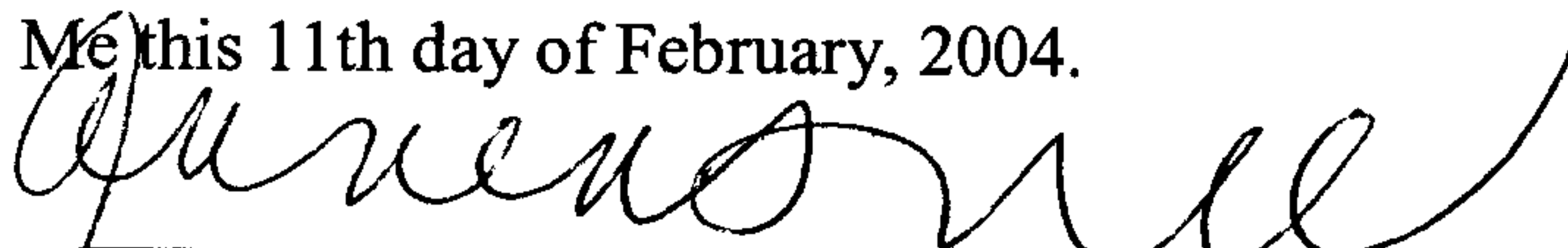
That, the Trust is has not been revoked and is still in full force and effect.

Affiant gives this statement for the purpose of inducing First American Title Insurance Company to issue its final lender's policy under Commitment number 147184. Affiants agrees to hold harmless and indemnify First American Title Insurance Company, its successors and assigns, J. Powers Construction, L.L.C., Grantee, and Anne R. Strickland, Closing Attorney, from any harm, damages, or consequences whatsoever from their reliance on this statement..

Witness my hand and seal this 11th day of February, 2004.


Affiant Vance J. Plumb, as Trustee
TRUSTEE OF THE TARA VANESSA PLUMB TRUST,
DATED OCTOBER 25, 1995

Sworn to and Subscribed Before
Me this 11th day of February, 2004.


NOTARY PUBLIC Anne R. Strickland
My commission expires: 5/11/05

Alcant Bank