

AFFIDAVIT OF TERMINATION OF RIGHT OF FIRST REFUSAL

State of Alabama
County of Shelby

RE: Lot 605, according to the Survey of Highland Lakes, 6th Sector, an Eddleman Community, as recorded in Map Book 23 page 1 in the Probate Office of Shelby County, Alabama.

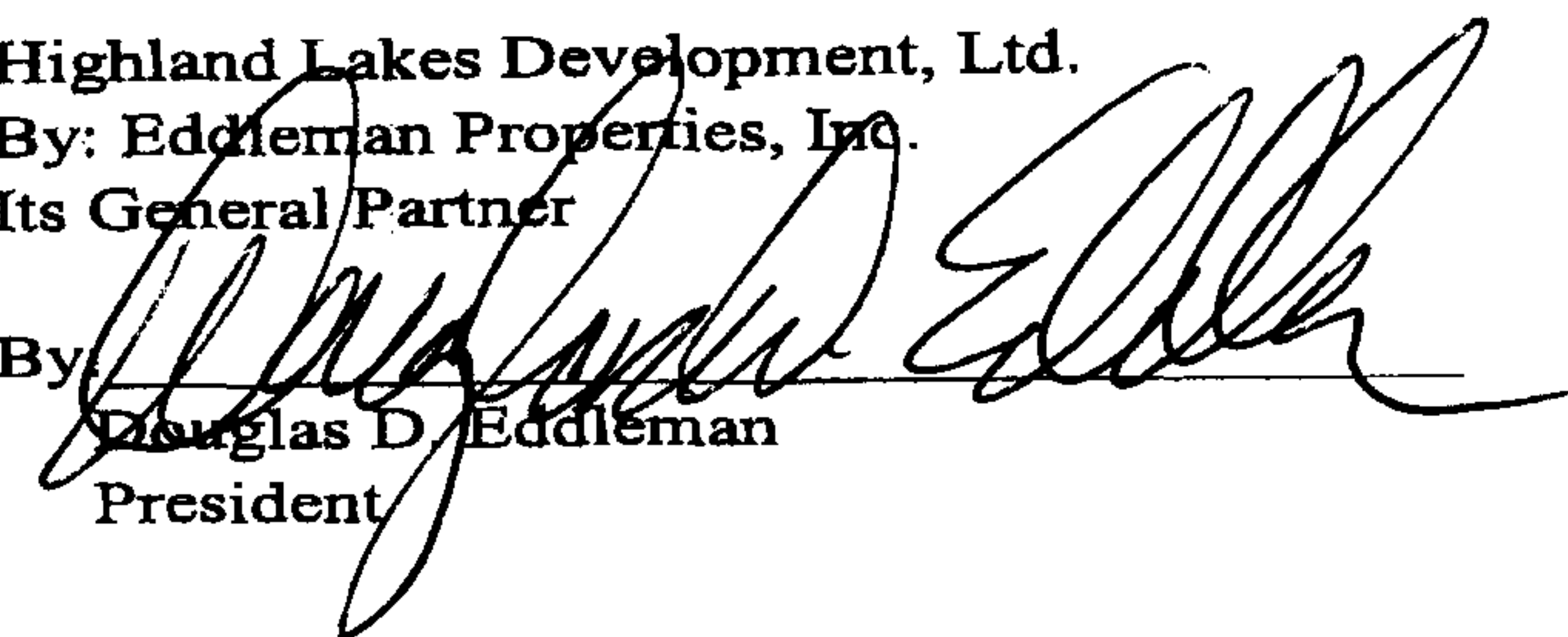
Whereas, the Undersigned, Highland Lake Development, Ltd., an Alabama Limited Partnership, being the grantor in that certain deed recorded in Instrument 2002-01814 in the Probate Office of Shelby County, Alabama, did retain a right of first refusal to repurchase the above described property.

Whereas, J. E. Pate Development Company, Inc. the Grantee has constructed a residence in compliance with the terms set forth in that certain deed recorded in Instrument 2002,01814; and Whereas, Highland Lakes Development, Ltd. hereby terminates its right of first refusal to repurchase the above described property so that J. E. Pate Development Company, Inc. can convey the above described lot free and clear of the right to repurchase.

Now Therefore, Highland Lakes Development, Ltd. hereby terminates its right of first refusal to repurchase the above described lot 605.

In Witness Whereof, the undersigned, Douglas D. Eddleman, as President of Eddleman Properties, Inc., has caused this termination of its right of first refusal on this the 27th day of February, 2004.

Highland Lakes Development, Ltd.
By: Eddleman Properties, Inc.
Its General Partner

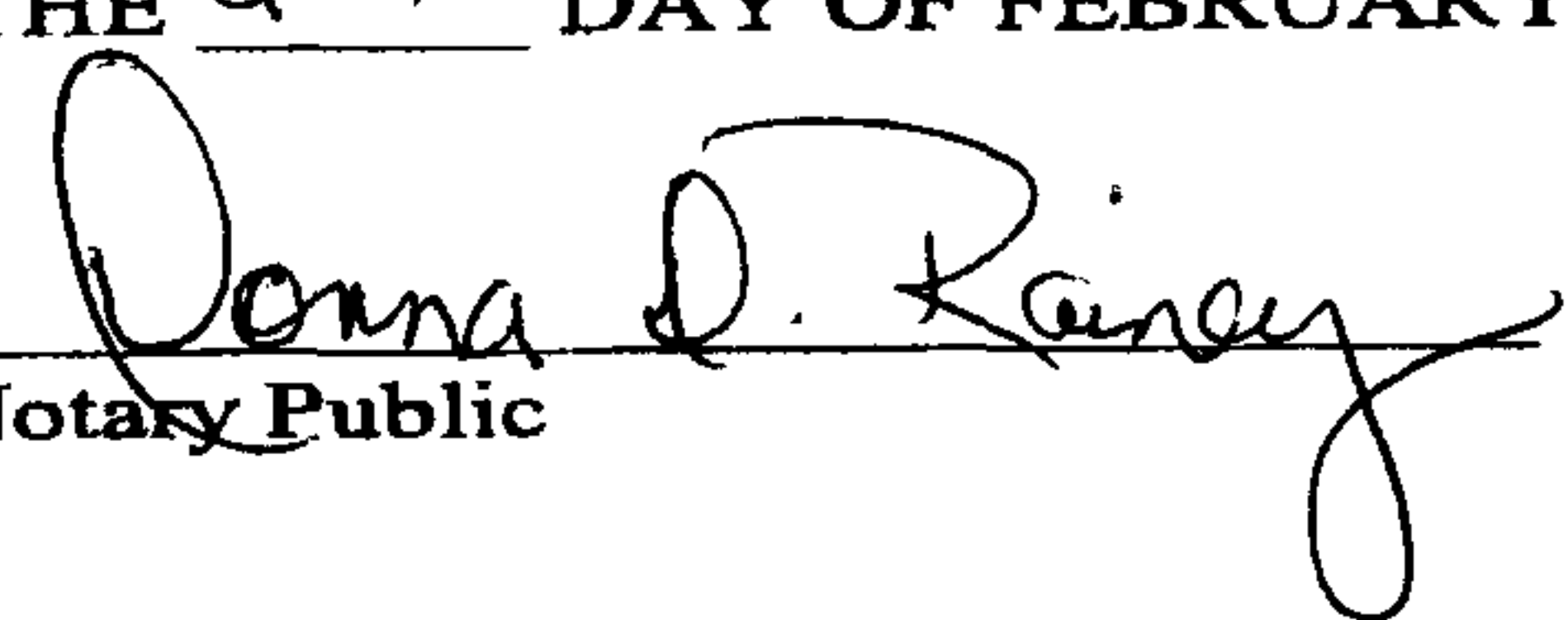
By: 
Douglas D. Eddleman
President

State of Alabama)
County of Shelby)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Douglas D. Eddleman, whose name as President of Eddleman Properties, Inc., an Alabama corporation, which is General Partner of Highland Lakes Development, Ltd., an Alabama Limited Partnership, 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 conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation acting in its capacity as General Partner of said Limited Partnership.

GIVEN UNDER MY HAND THIS THE 27th DAY OF FEBRUARY, 2004.

My Commission Expires:


Notary Public

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Dec 1, 2006
BONDED THRU NOTARY PUBLIC UNDERWRITERS