

STATE OF ALABAMA)
COUNTY OF SHELBY)

AFFIDAVIT

Before me, the undersigned authority, a Notary Public, personally appeared the undersigned affiant(s), who after first being duly sworn, depose(s) and say(s) the following:

Our names are Paul B. Brown and Stephanie Brown, and we are over the age of 21 years and a resident of Shelby County, Alabama. We are the owners of property located in Shelby County and further described in the attached Exhibit "A".

We were advised by predecessors in title that the easement (see attached Exhibit "B") in question was formed for the purpose access the rear portion of the property upon being sub-divided. It is our understanding that the easement was never was never physically used prior to our term of ownership and it has never be used, opened to the public, nor serviced during our ownership.

One predecessors of title mentioned that said easement would serve as a landing strip for small aircraft. It is my understanding that the easement was not used for this purpose either.

Said easement for all practical purposes was abandoned.

I/We give this Affidavit for the purpose of inducing Shelby County Abstract & Title Company, Inc. and Stewart Title Guaranty Company to issue its Title Insurance Policy or Policies free of any exception for the above mentioned easement.

Paul B. Brown (L.S.)
Paul B. Brown

Stephanie Brown (L.S.)
Stephanie Brown

4 SWORN TO AND SUBSCRIBED BEFORE ME, this the 31st day of March, 2004.

[Signature]
Notary Public
My Commission Expires: 5/13/04

EXHIBIT "A"
LEGAL DESCRIPTION

Begin at the SE corner of Section 2, Township 22 South, Range 3 West, Shelby County, Alabama; thence North 89 degrees 45 minutes 44 seconds West along the South line of said section for a distance of 2584.75 feet; thence North 01 degree 11 minutes 00 seconds West for a distance of 150.05 feet; thence North 01 degree 29 minutes 41 seconds West for a distance of 146.99 feet; thence South 89 degrees 37 minutes 41 seconds West for a distance of 303.02 feet to the easterly right of way line of Alabama Highway 119; thence North 04 degrees 46 minutes 20 seconds West along said right of way line for a distance of 499.91 feet; thence North 87 degrees 57 minutes 41 seconds East and leaving said right of way for a distance of 2000.46 feet; thence North 02 degrees 21 minutes 50 seconds West for a distance of 556.36 feet; thence North 87 degrees 43 minutes 59 seconds East for a distance of 900.18 feet; thence South 02 degrees 21 minutes 50 seconds East for a distance of 1467.31 feet to the POINT OF BEGINNING.

According to the survey of Rodney Shiflett, dated July 20, 1999.

Commence at the Southeast corner of Section 2, Township 22 South, Range 3 West; thence run West along the South line of said Section 2 for 2333.78 feet; thence turn an angle to the right of 84 degrees 59 minutes 24 seconds and run North for 300.55 feet to the point of beginning; thence continue along the last described course for 415.40 feet; thence turn an angle to the left of 87 degrees 15 minutes 59 seconds and run West for 534.95 feet to a point on the East right of way of Alabama Highway No. 119; thence turn an angle to the left of 92 degrees 44 minutes 01 seconds and run South along the East right of way for 399.80 feet; thence turn an angle to the left of 85 degrees 35 minutes 59 seconds and run East for 535.92 feet to the point of beginning.

According to the survey of Steven H. Gay, RLS#17522, dated January 9, 2002.

EXHIBIT "B"
LEGAL DESCRIPTION

30-foot road right of way easement being 15 feet on each side of the following described center line:

Commence at the SE corner of Section 2, Township 22 South, Range 3 West; thence Westerly along the South boundary of said Section 915.01 feet; thence Northerly and parallel to the East boundary of said Section 434.00 feet to the point of beginning of center line herein described; thence continue Northerly along same course 416.63 feet; thence turn 92 degrees 07 minutes left in a Westerly direction 1994.36 feet to the intersection with the East right of way boundary of Alabama State Highway 119, said intersection being the terminus of center line herein described.