

STATE OF ALABAMA)
JEFFERSON COUNTY)

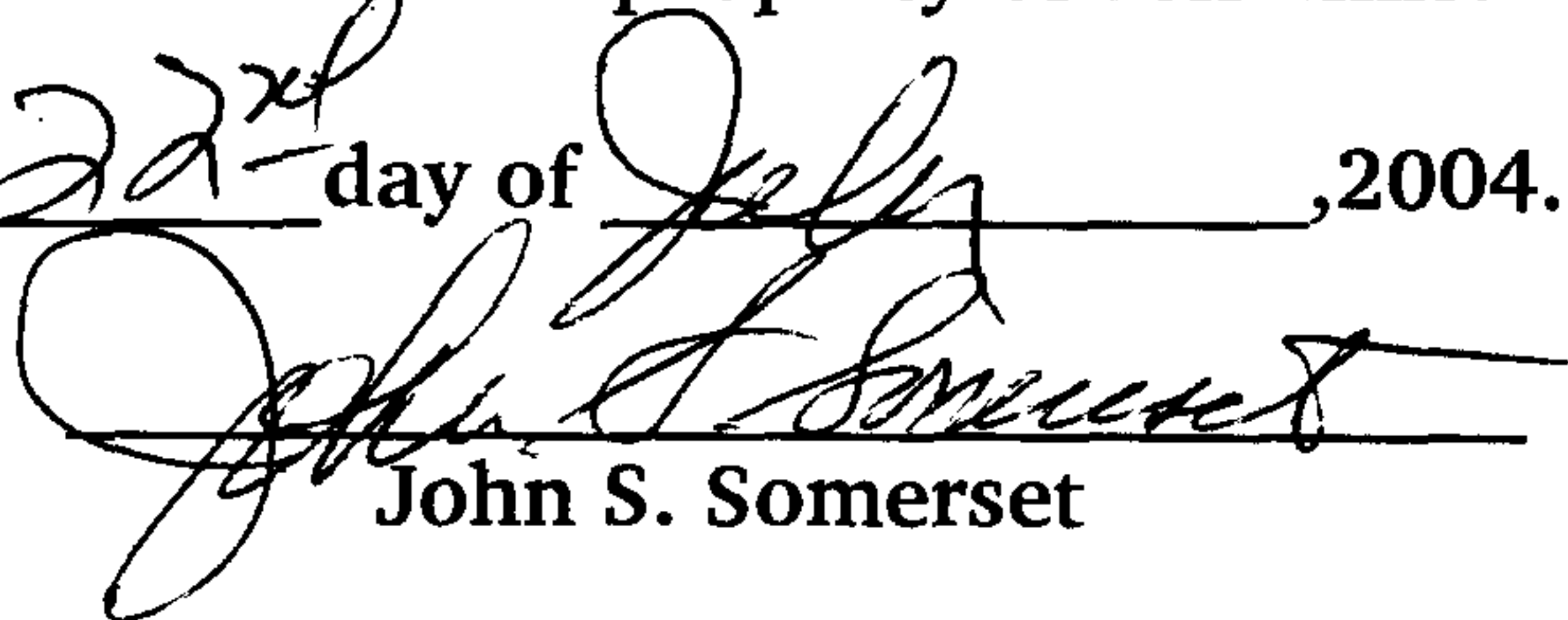
AFFIDAVIT

Comes now the undersigned and deposes and says:

My name is John S. Somerset, and I am a licensed , practicing attorney in the State of Alabama, Jefferson County. In 1997, I was representing to Jeff McConathy, Marvin Hall, and Hope Chi Mills. Because I represented three out of the four parties to the deed recorded in Instrument Number 1997/36468, in Shelby County, Alabama, I did not prepare that deed. I do, however, have personal knowledge that the property transferred therein was commercial property and was never homestead property of the Grantors, Jeff McConathy and Marvin Hall.

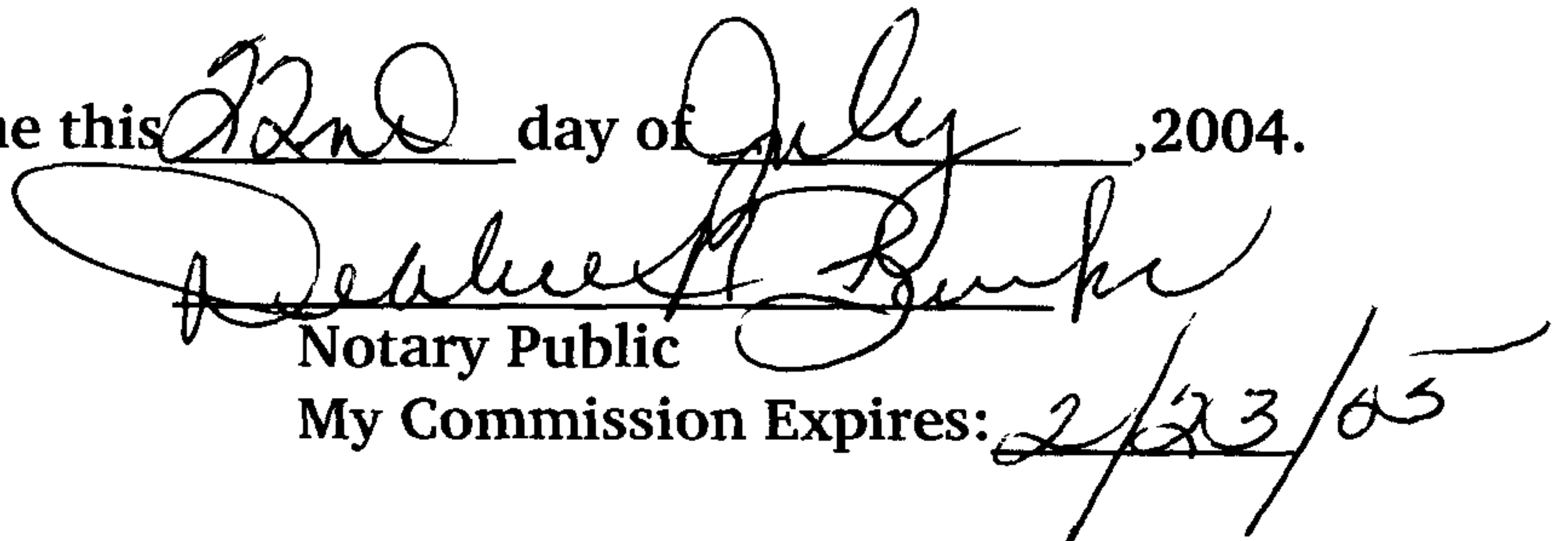
My law partner, John W. Sudderth, did prepare the deed recorded in Instrument Number 1999/8466 in Shelby County, Alabama and once again, I have personal knowledge that the property was never homestead property of Jeff Mills.

Further deponent saith not, this 22nd day of July, 2004.


John S. Somerset

STATE OF ALABAMA)
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Sworn and subscribed before me this 22nd day of July, 2004.


Notary Public
My Commission Expires: 2/23/05