

AFFIDAVIT


20040922000523110 Pg 1/1 11.00
Shelby Cnty Judge of Probate, AL
09/22/2004 02:21:00 FILED/CERTIFIED

STATE OF ALABAMA)

COUNTY OF SHELBY)

KNOW ALL MEN BY THESE PRESENTS, that before me personally appeared, **DAVID J. PHILLIPS** ("Affiants"), owner of the following described real estate situated in SHELBY County, Alabama, to wit:

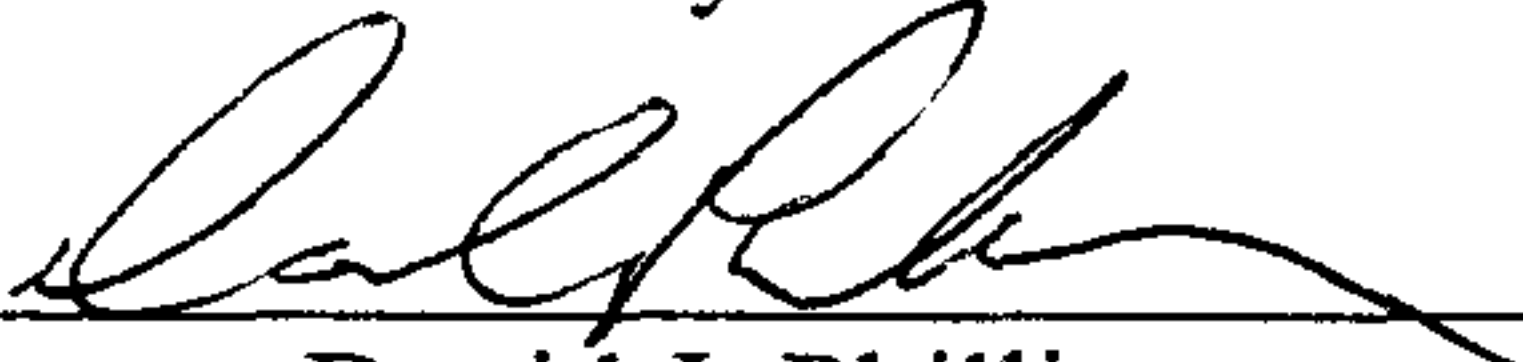
Lot 720, according to the Survey of Old Cahaba, Cedar Crest Sector, as recorded in Map Book 24, Page 11, in the Probate Office of Shelby County, Alabama.

The Affiants personally state as follows:

That on February 17, 2001, the date of execution of the Deed recorded in Instrument No. 2000-7077, David J. Phillips and Tamara E. Phillips were both unmarried.

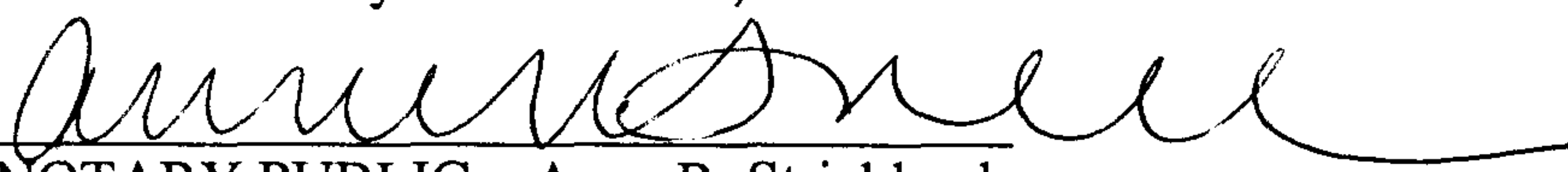
Affiants give this statement for the purpose of inducing Lawyers Title Insurance Corporation to issue its final title policy under Commitment number AP003324PR without exception. Affiants agree to hold harmless and indemnify Lawyers Title Insurance Corporation, its successors and assigns, and Anne R. Strickland, Closing Attorney, from any harm, damages, or consequences whatsoever from their reliance on this statement..

Witness my hand and seal this 20th day of November, 2003.



Affiant David J. Phillips

Sworn to and Subscribed Before
Me this 20th day of November, 2003.



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