

Affidavit

1. My name is Tonya Wade Johnson and I am providing this affidavit as the Trustee of the M. Otho Wade Family Trust, established by the last will and testament of M. Otho Wade, deceased, probate case no. 23-163 (Houston County) and with respect to the conveyance of the property described below:

Parcel 8, according the Survey of Tanyard Branch Estates, as recorded in Map Book 30, Page 94, in the Probate Office of Shelby County, Alabama.

2. This affidavit is given to induce Land Title Company and Chicago Title Insurance Company to issue a title policy with respect to the above referenced property.

3. The M. Otho Wade Family Trust, established by the last will and testament of M. Otho Wade, deceased, probate case #23-163 (Houston County) is one and the same as "The Otho Wade Trust," grantor in deed instrument 20040304000111920 (Shelby County).

4. I, Tonya Wade Johnson, agree to indemnify and hold harmless Land Title Company of Alabama, Chicago Title Insurance Company, David C. Skinner, W. Eric Pitts and David C. Skinner, L.L.C. from any loss, cost, damage and expense of every kind including attorney's fees which it shall and may suffer resulting from any reliance on the statements made in this affidavit.

Tonya Wade Johnson
Tonya Wade Johnson
Individually and as Trustee of the M. Otho Wade Family Trust established by the last will and testament of M. Otho Wade, deceased, probate case no. 23-163 (Houston County).

STATE OF ALABAMA COUNTY OF JEFFERSON

Before me, personally appeared Tonya Wade Johnson, who after being first duly sworn, deposed and said that the forgoing statements are true and correct to the best of her knowledge, information and belief and that she signed the above instrument under oath and as her individual act and as the Trustee of the M. Otho Wade Family Trust.

Sworn to and subscribed before me on the 4 day of October, 2004.

NOTARY PUBLIC: My Commission Expires 15 Nov 2006

