

AFFIDAVIT OF JAMES W. FUHRMEISTER

STATE OF ALABAMA)

COUNTY OF SHELBY)

Before me, the undersigned, a Notary Public in and for said county and said state, personally appeared James W. Fuhrmeister, who after being duly sworn, deposes and says as follows:

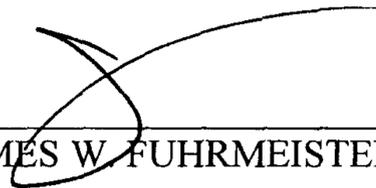
“My name is James W. Fuhrmeister and I am a practicing attorney in the State of Alabama. On December 17, 2003, I prepared a Mortgage in which Leslie Denise Workman and Noel Phillip Workman, Jr., husband and wife, and Samuel D. Gilbert, a married man, are Mortgagors and Elrod Mortgage, Inc. is Mortgagee. This mortgage was recorded December 18, 2003 and appears of record in the Office of the Judge of Probate of Shelby County, Alabama as Instrument Number 20031218000814910.

The property described in the Mortgage is not the homestead of the mortgagor, Samuel D. Gilbert and should have stated on its face:

THIS IS NOT THE HOMESTEAD OF THE MORTGAGOR, SAMUEL D. GILBERT.

I give this affidavit of my own personal knowledge of the facts set out herein.”

In Witness Whereof, I have hereunto set my hand and seal on this the 1st day of December, 2004.



JAMES W. FUHRMEISTER

Sworn to and subscribed before me this 1st day of December, 2004.



Notary Public
My Commission Expires: 07-17-07