

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT AND AGREEMENT

The undersigned hereby acknowledge that the Survey of Surveying Solutions, Inc. dated February 22, 2005 (the "Survey") shows a fence overlapping adjacent property on the Northeasterly and Southwesterly sides of the Land (legal description attached as Exhibit "A").

The undersigned further acknowledge and agree that (1) the Survey is correct; (2) the fence was put there in error; (3) they do not claim any right or title to the adjacent property; and (4) the fence will be removed from the adjacent property within thirty (30) days of this date.

In Witness Whereof, the undersigned have executed this Acknowledgment and Agreement on this the 25th day of February, 2005.

A. Marshall
Witness

Gerald W. Cummings
Gerald W. Cummings

A. Marshall
Witness

Jimmie Ruth Cummings
Jimmie Ruth Cummings

STATE OF ALABAMA)
COUNTY OF SHELBY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Gerald W. Cummings and Jimmie Ruth Cummings, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 25th day of February, 2005.

Anne P. Marshall
Notary Public

My Commission Expires: 03/13/2007

This instrument prepared by:
James J. Odom, Jr.
211-B Yeager Parkway
Pelham, AL 35124

