

## AFFIDAVIT

Before me, a notary public, being first duly sworn, appeared, Robert L. Johnson and Tammy B. Johnson, who depose as follows:

We are the present owners of the property known as the following:

Lot 50, according to the Survey of Saint Charles Place Jackson Square, Phase Two, Sector Two, as recorded in Map Book 19, Page 78, in the Probate Office of Shelby County, Alabama.

I have been informed of a title defect against the above described property, namely an unsatisfied mortgage of record, described as a mortgage executed in the amount of \$11,857.00 from Robert L. Johnson and Tammy B. Johnson to Sears Patio Products Corp., dated March 12, 1997 and recorded in Instrument No. 1997-11512 and assigned to Litchfield Financial Corporation as recorded in Instrument No. 1997-13647, in the Probate Office of Shelby County, Alabama.

We hereby certify that we have not been contacted for payment of the above described mortgage.

It is our understanding that the above described mortgage was paid in full from the proceeds of a mortgage in the amount of \$26,000.00 from Robert L. Johnson and Tammy B. Johnson to Phoenix Funding dated November 6, 1997 and recorded in Instrument No. 1997-37703.

Dated this the 4<sup>th</sup> day of March, 2005.

Robert L. Johnson

Tammy B. Johnson

## STATE OF ALABAMA COUNTY OF SHELBY

I, **B.** CHRISTOPHER BATTLES, a Notary Public in and for said County, in said State, hereby certify that **Robert L. Johnson and Tammy B. Johnson** whose name(s) are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of this instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 4<sup>th</sup> day of March, 2005.

Notary Public

My Commission Expires: 02-25-09

Affiant shall indemnify and hold harmless Magic City Title, Lawyers Title Insurance Corporation, B. Christopher Battles and America's Wholesale Lender, their officers, directors, employees, agents assigns and affiliates from any and all losses caused by or arising our of any breach and/or this title defect.