


## AFFIDAVIT REGARDING MORTGAGE DEBT

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

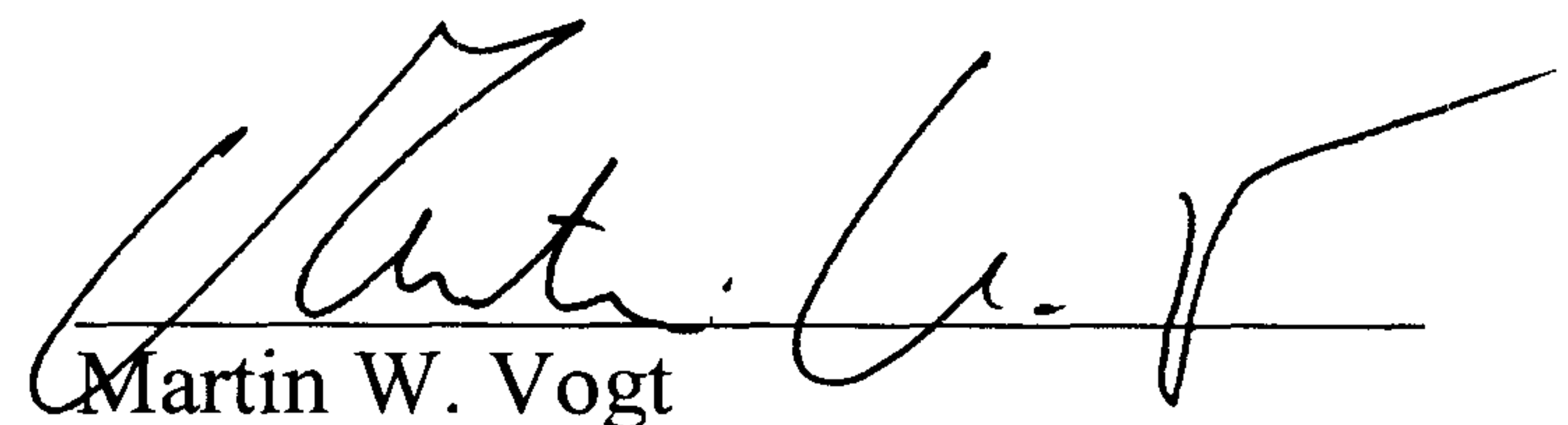
  
20050623000312540 1/1 \$11.00  
Shelby Cnty Judge of Probate, AL  
06/23/2005 09:00:49AM FILED/CERT

Before me, the undersigned notary public in and for the said county and said state, personally appeared Martin W. Vogt, whose name is signed to this Affidavit and who is known to me and, who being by me first duly sworn, deposes and says as follows:

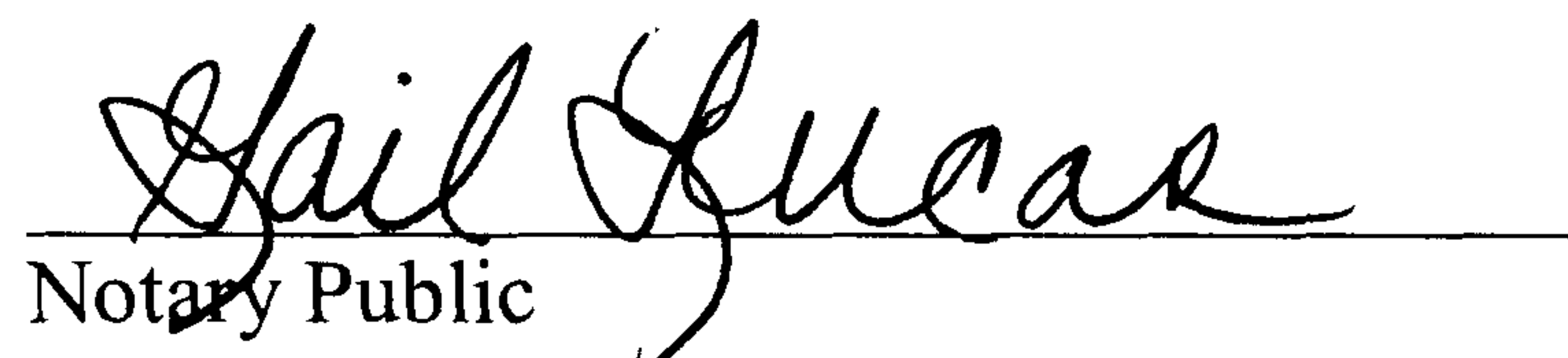
1. That my name is Martin W. Vogt, I am over the age of nineteen years of age, am of sound mind and body and reside in Jefferson County, Alabama.
2. That I am the Vice President, CFO and Treasurer of Sherman Industries, Inc. which is the owner of the real property located in Shelby County, Alabama which is subject to Title Commitment No. ShermanShelbyFINAL issued by Balch & Bingham LLP and the property located in Floyd County, Georgia which is subject to Title Commitment No. GF-C-SHERMAN issued by Sidney P. Wright, P.C.
3. That the accounting records and financial statements of Sherman Industries, Inc. do not reflect that Sherman Industries, Inc. has any liability for any indebtedness owed to either (i) Charlotte C. Vick and James H. Vick, III, as Co-Executors of the Estate of James H. Vick, Jr., or (ii) T. A. Fagaly and Beatrice Fagaly.

In witness whereof, the undersigned Affiant has set his hand and seal as of June 17, 2005.

AFFIANT:

  
Martin W. Vogt

Sworn to and subscribed before me  
on this 17<sup>th</sup> day of June, 2005.

  
Notary Public

My Commission Expires: \_\_\_\_\_  
MY COMMISSION EXPIRES MARCH 16, 2009

[SEAL]