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Shelby Cnty Judge of Probate, AL  
08/02/2005 01:31:33PM FILED/CERT

## AFFIDAVIT OF HOLTON TRUST TRUSTEE

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

450  
200509/8871

Before me, the undersigned notary public in and for the said county and state, personally appeared Frank Y. Anderson, IV, who is known to me and, who after being duly sworn by me, deposes and says as follows:

1. That my name is Frank Y. Anderson, IV, I am over the age of nineteen years of age, am of sound mind and sound body and have personal knowledge of the facts set forth herein.
2. That I was a successor to William O. Whit, Jr. as trustee and was the sole trustee under that certain Trust Agreement dated November 3, 1978, recorded in Real Volume 1688, Page 718 in the Probate Office of Jefferson County, Alabama (the "Trust") at the time of the termination of the Trust.
3. That all obligations secured by those certain Mortgages from Sherman International Corp. recorded as Instrument No. 9403/9085 in the Probate Office of Jefferson County, Alabama; Instrument No. 1994/7854 and in the Probate Office of Shelby County, Alabama; and Deed Book 1247, Page 109 in the Floyd County Deed Records, Floyd County, Georgia, were satisfied prior to termination of the Trust.
4. That all of the assets of the Trust were distributed prior to its termination.
5. That since termination of the Trust, I have received no notice from any beneficiary of the Trust or any other party regarding any dispute or claim regarding the proper distribution of the assets of the Trust or the termination of the Trust.

Further Affiant saith naught.

Frank Y. Anderson, IV  
Frank Y. Anderson, IV

Sworn to and subscribed before me this 16<sup>th</sup> day of June, 2005.

Walter Monroe IV  
Notary Public  
My Commission Expires: 11/3/05

SEAL

State of Alabama - Jefferson County  
I certify this instrument filed on:  
2005 JUL 12 05:36:19:31PM  
Recorded and \$  
and \$ 4.50  
\$ 4.50  
Deed Tax and Fee Amt. 4.50  
Total \$  
MARK GAINES, Judge of Probate  
200509/8871