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Shelby Cnty Judge of Probate,AL
09/19/2005 02:12:48PM FILED/CERT

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 November 15, 2004, I prepared a Mortgage in which John O. Freeman, Sr. and Marie C. Freeman are mortgagors and National Bank of Commerce of Birmingham is the Mortgagee. The mortgage was filed on November 17, 2004 and appears of record in the Office of the Judge of Probate of Shelby County, Alabama as Instrument Number 20041117000632720.

The aforesaid mortgage was recorded without listing Marie C. Freeman as a mortgagor in the acknowledgement. The acknowledgement should read as follows:

> **I, James W. Fuhrmeister, a Notary Public in and for said county, in said state, hereby certify that John O. Freeman, Sr. and Marie C. Freeman, whose names are signed to the foregoing and who are known to me, acknowledge before me 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 official seal of office this 15th day of November, 2004.**

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 15th day of September, 2005.

JAMES W. FUHRMEISTER

Sworn to and subscribed before me this 15th day of September, 2005.

Carol M. Kimbrough
Notary Public
My Commission Expires: 2-2-09