

AFFIDAVIT

State of Alabama
County of Jefferson

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared Melanie P. Ostrosky and James E. Ostrosky who after being duly sworn, deposes and says as follows:

1. My name is Melanie P. Ostrosky / James E. Ostrosky. We are the Trustees under the Melanie P. Ostrosky Living Trust dated 10/19/1998 and any amendments thereto and the James E. Ostrosky Living Trust dated 10/19/1998 and any amendments thereto.

2. We have signed documents, namely a Warranty Deed and other documents with regard to the sale of property described as:

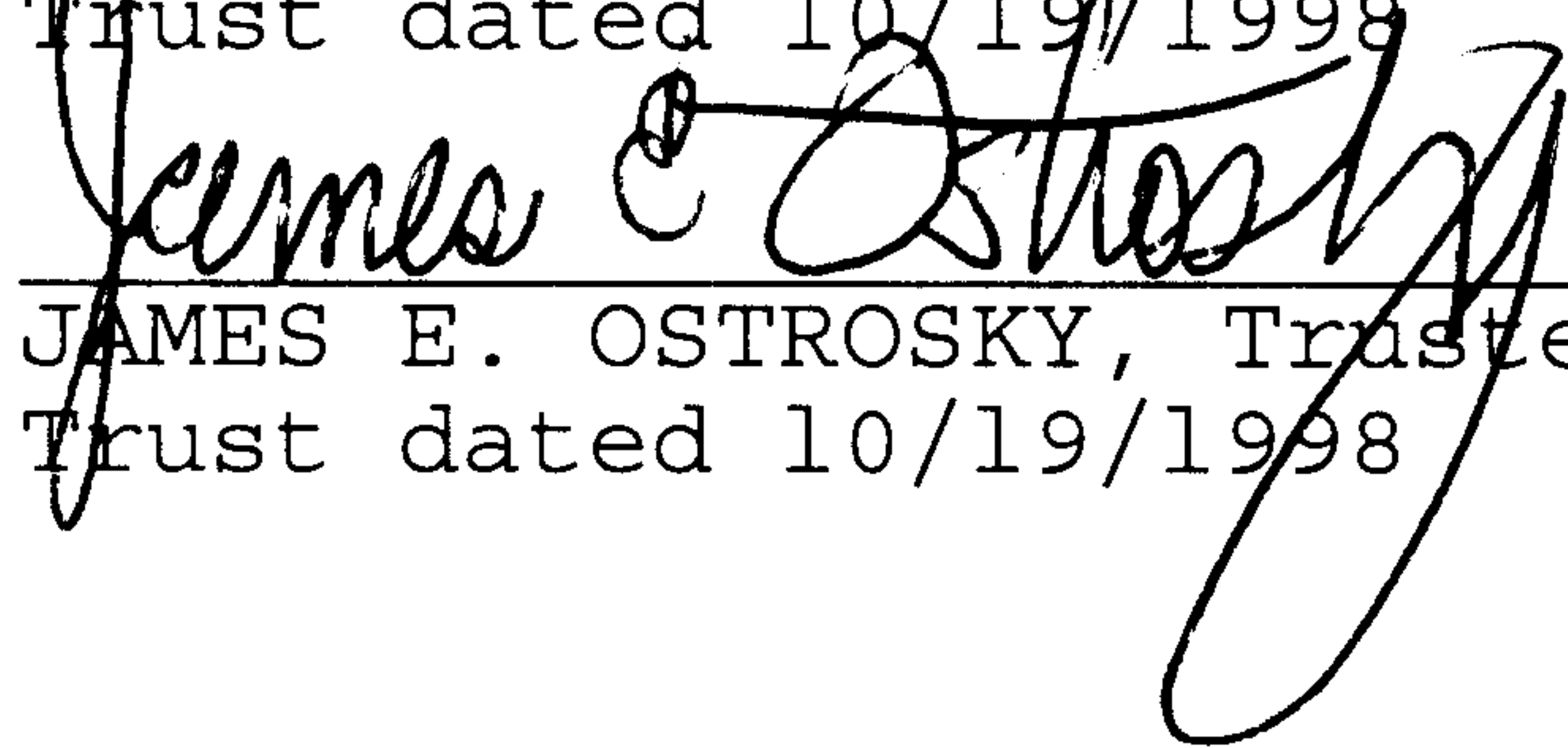
Lot 41-A, according to the Survey of Southlake Townhomes, Second Addition, being a Reurvey of Lots 21 through 43 and as a part of 44, Southlake Townhomes, as recorded in Map Book 13, Page 66 in the Probate Office of Shelby County, Alabama.

3. We have personal knowledge that the trusts are still in force and effect have not been revoked and that there have been no undisclosed amendments, modifications or revocations and/or terminations and there has been no undisclosed resignation or substitution of trustees made to these Trusts.

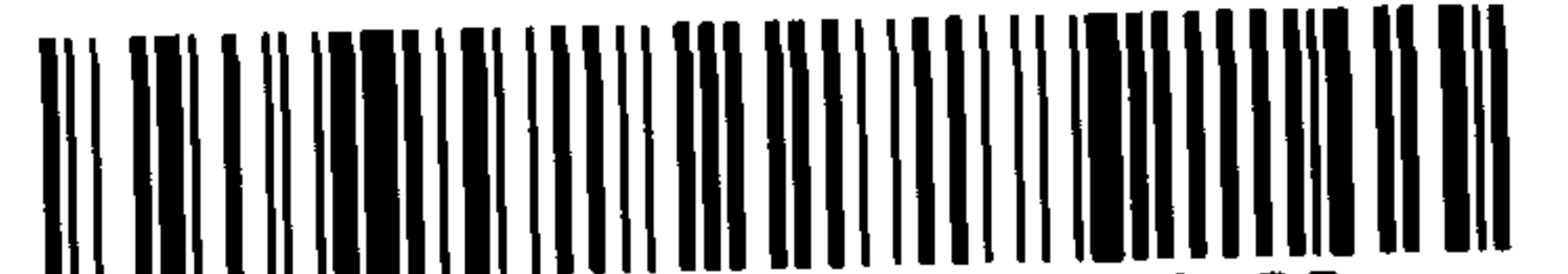
4. This Affidavit is given to induce Jefferson Title Insurance to issue their final title policy.



MELANIE P. OSTROSKY, Trustee under the Melanie P. Ostrosky Living Trust dated 10/19/1998



JAMES E. OSTROSKY, Trustee under the Melanie P. Ostrosky Living Trust dated 10/19/1998



20050930000510940 2/2 \$14.00
Shelby Cnty Judge of Probate, AL
09/30/2005 12:06:32PM FILED/CERT

James E. Ostrosky

JAMES E. OSTROSKY, Trustee under the James E. Ostrosky Living
Trust dated 10/19/1998

Melanie P. Ostrosky

MELANIE P. OSTROSKY, Trustee under the James E. Ostrosky Living
Trust dated 10/19/1998

Sworn to and subscribed before me
on this the 28 day of September, 2005

Susan Cagle
NOTARY PUBLIC

My commission expires: 9/13/08