

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

AFFIDAVIT

Before me, the undersigned Notary Public in and for said county and in said state, personally appeared Tommy G. Andreades, as Chief Financial Officer of Jenkins Brick Company, an Alabama corporation, SMBC, Inc., an Alabama corporation, Jordan Brick Company, Inc., an Alabama corporation, and as Manager of Jenkins Development Company, L.L.C., an Alabama limited liability company, C & M Development, L.L.C., an Alabama limited liability company, and Madison Boulevard, LLC, an Alabama limited liability company (hereinafter referred to collectively as the "Borrowers" and each singularly as a "Borrower"), who is known to me, and who being first duly sworn to me, deposes and says as follows:

1. That Borrowers are the mortgagors under that certain Mortgage and Security Agreement (the "Mortgage") in favor of Wachovia Bank, National Association, as Agent (the "Agent"), which is to be recorded in the Office of the Judge of Probate of each of Chilton, Elmore, Etowah, Houston, Madison, Marshall, Montgomery, Shelby and St. Clair Counties in the State of Alabama. A copy of the form of the Mortgage is attached hereto.

2. The value of all mortgaged property given as security by Borrowers inside the State of Alabama is \$20,877,000.00, and the value of the mortgaged properties and percentage of value of the mortgaged properties on a county by county basis is as follows:

<u>County</u>	<u>Value</u>	<u>Percentage of Total Value</u>
Chilton	\$ 324,000.00	1.55%
Elmore	2,100,000.00	10.06%
Etowah	500,000.00	2.39%
Houston	800,000.00	3.83%
Madison	1,700,000.00	8.14%
Marshall	350,000.00	1.68%
Montgomery	3,353,000.00	16.06%
Shelby	2,450,000.00	11.74%
St. Clair	9,300,000.00	44.55%
TOTAL	\$20,877,000.00	100.00%

L. O. H. T. H. L.

3. That the undersigned has executed this Affidavit in his capacity as Chief Financial Officer of certain of the Borrowers and as Manager of certain of the Borrowers for the purpose of establishing the amount of the recording tax to be collected for the recordation of the Mortgage and making a distribution of such tax as provided for under Alabama law.

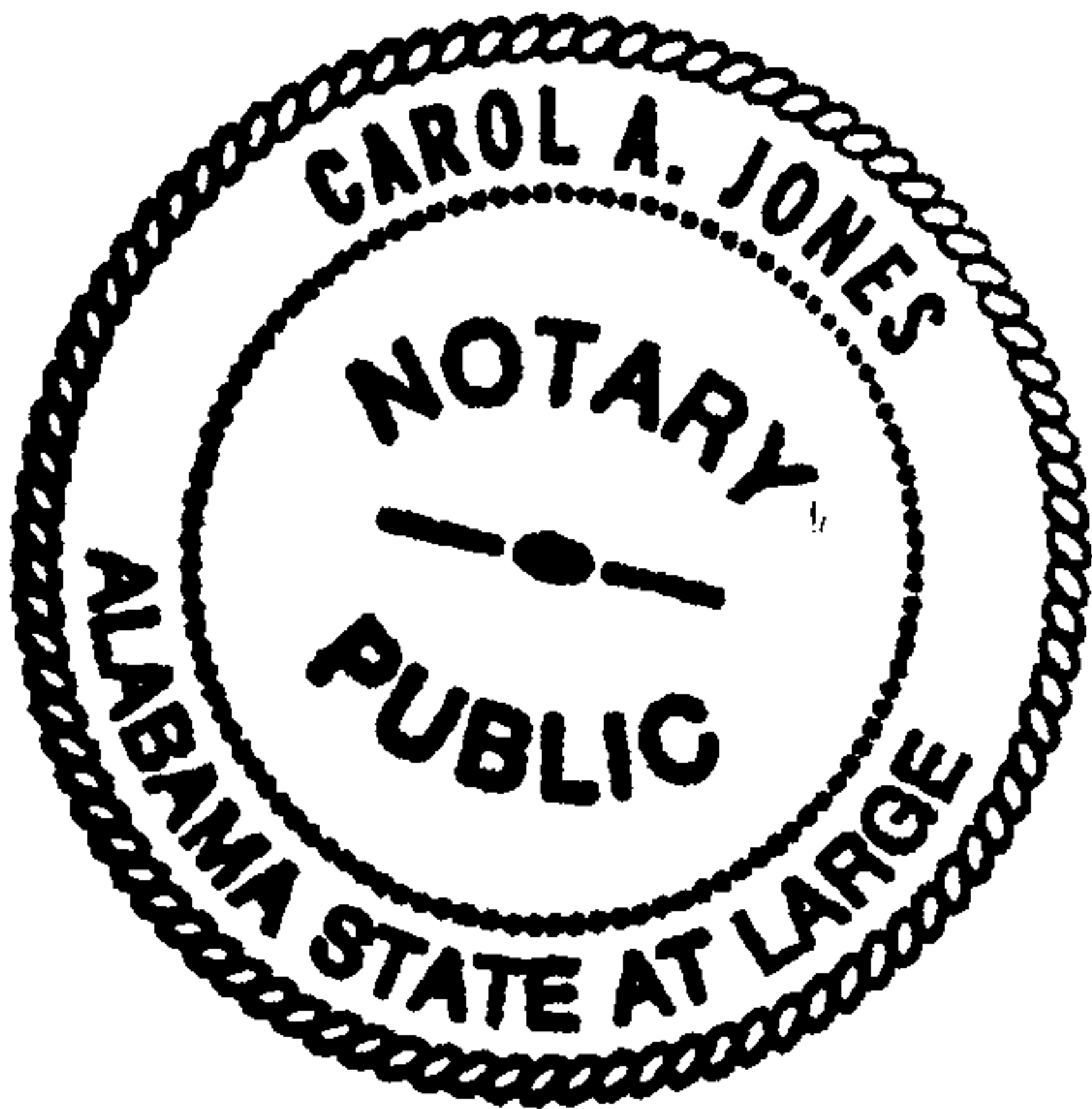
Tommy G. Andreades
Tommy G. Andreades

Sworn to and subscribed before me
this 16th day of November, 2005.

Carol A. Jones
Notary Public

[SEAL]

My commission expires: 10-08-08



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Shelby Cnty Judge of Probate, AL
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