

20060119000031330 1/1 \$11.00  
Shelby Cnty Judge of Probate, AL  
01/19/2006 03:39:20PM FILED/CERT

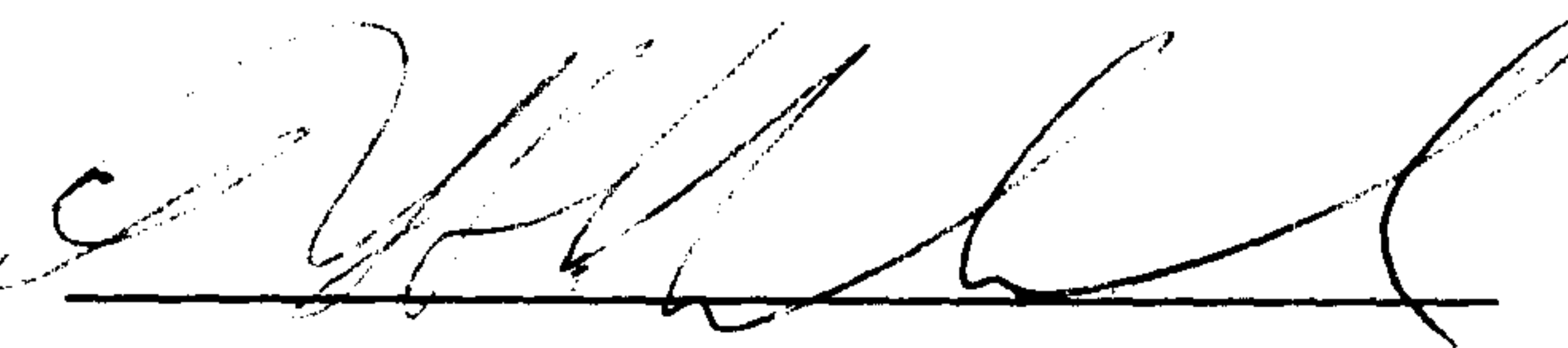
THE STATE OF ALABAMA )  
COUNTY OF SHELBY )

SWORN AFFIDAVIT

A Mortgage in the amount of \$2,100,000.00 dated April 29, 2005 from TIMBERLAKE DEVELOPMENT, LLC to Aliant Bank recorded in the Office of the Judge of Probate of SHELBY COUNTY. The mortgage was released in error.

This mortgage is in fact still in full force and effective under the original terms of the mortgage. We do hereby this date rescind the cancellation.

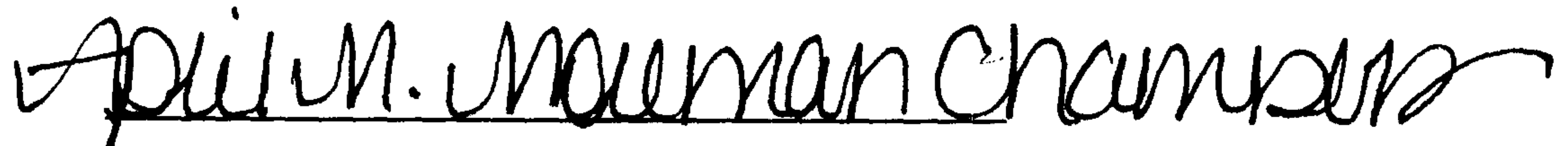
Dated this 18th day of January, 2006.

By:   
Its: Loan Operations Officer

THE STATE OF ALABAMA )  
COUNTY OF TALLAPOOSA )

I, the Undersigned Authority, A Notary Public in and for Said County and State, Hereby certify that Melony Underwood whose name as Loan Operations Officer of Aliant Bank is signed to the foregoing Affidavit and who is known to me, acknowledged before me this day, that, being informed of the contents thereof, He/She as such officer and with full power and authority, executed the same voluntarily on the day the same bears date, as and for the act of said corporation.

Given under my hand and seal this 18th day of January, 2006.



Notary

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: July 3, 2007  
BONDED THRU NOTARY PUBLIC UNDERWRITERS