

**AFFIDAVIT REGARDING PARCEL  
NUMBER 10-4-17-0-001-007.000 as it pertains the purchase of 2325 Old  
Rock Ridge Road, Birmingham, AL 35216**


We, **Herbert M. Martin, III, Terence Malloy Martin and Kelly Martin Laney, (Sellers) and Staten Plantation (ALABAMA), LLC by Gray Murray its Managing Member,**  
( **Purchaser**) do hereby acknowledge that we are aware and have been provided documents that show that **Parcel Number 10-4-17-0-001-007.000 is currently being and has previously been assessed in the Name of John Posey. Parcel Number 10-4-17-0-001-007.000** appears to contain and include a portion of the Property included in the legal description of the Deed Dated January 30, 2006 and signed by Herbert M. Martin, III, Terrance Malloy Martin and Kelly Martin Laney (grantors) conveying to Staten Plantation(Alabama), LLC(grantee). Said deed has a legal description as follows:

**See Attached Exhibit "A"**


We further acknowledge that Shelby County is in the process of assigning a new parcel number for the portion of Parcel Number 10-4-17-0-001-007.000 that is Outside Mr. Posey's property. That Parcel Number should be 10-4-17-0-001-007.001 according to Carmen Coker, Shelby County Senior Mapper.

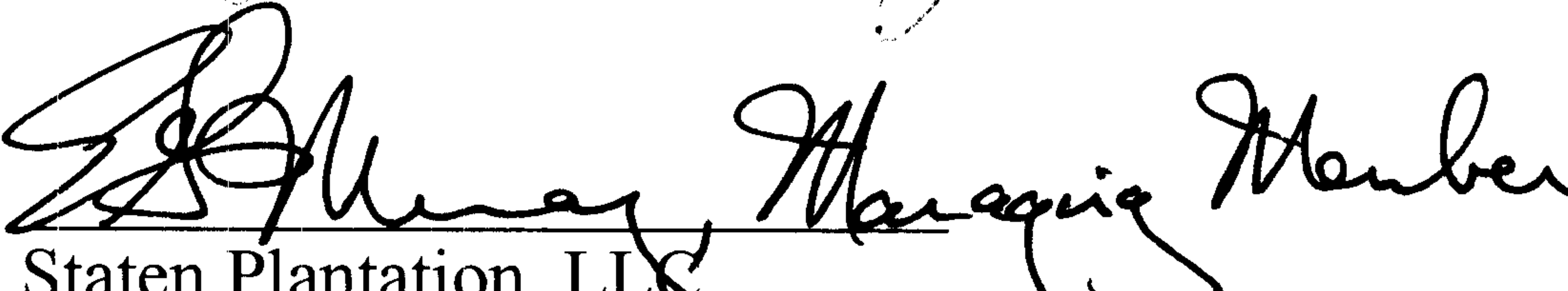
**All Parties involved in the purchase/sale of 2325 Old Rocky Ridge Road, Birmingham, AL 35216 and Exhibit "A" as attached, agree to hold L.H. (Woody) Hamilton Jr. P.C., Johnson, Hamilton and Gibson, LLC, Magic City Title and Lawyers Title harmless and release each of these parties from any and all future issues, discrepancies, disputes and litigation that may arise regarding Parcel Number 10-4-17-0-001-007.000 and any future Parcel Number that may be assigned to Parcel 10-4-17-0-001-007.000 , 10-4-17-0-007.001 or any part thereof.**

Dated this the 30th day of January, 2006.

  
Herbert M. Martin, III (Seller)

  
Terence Malloy Martin (Seller)

  
Kelly Martin Laney (Seller)

  
Staten Plantation, LLC Managing Member

L.H. Hamilton

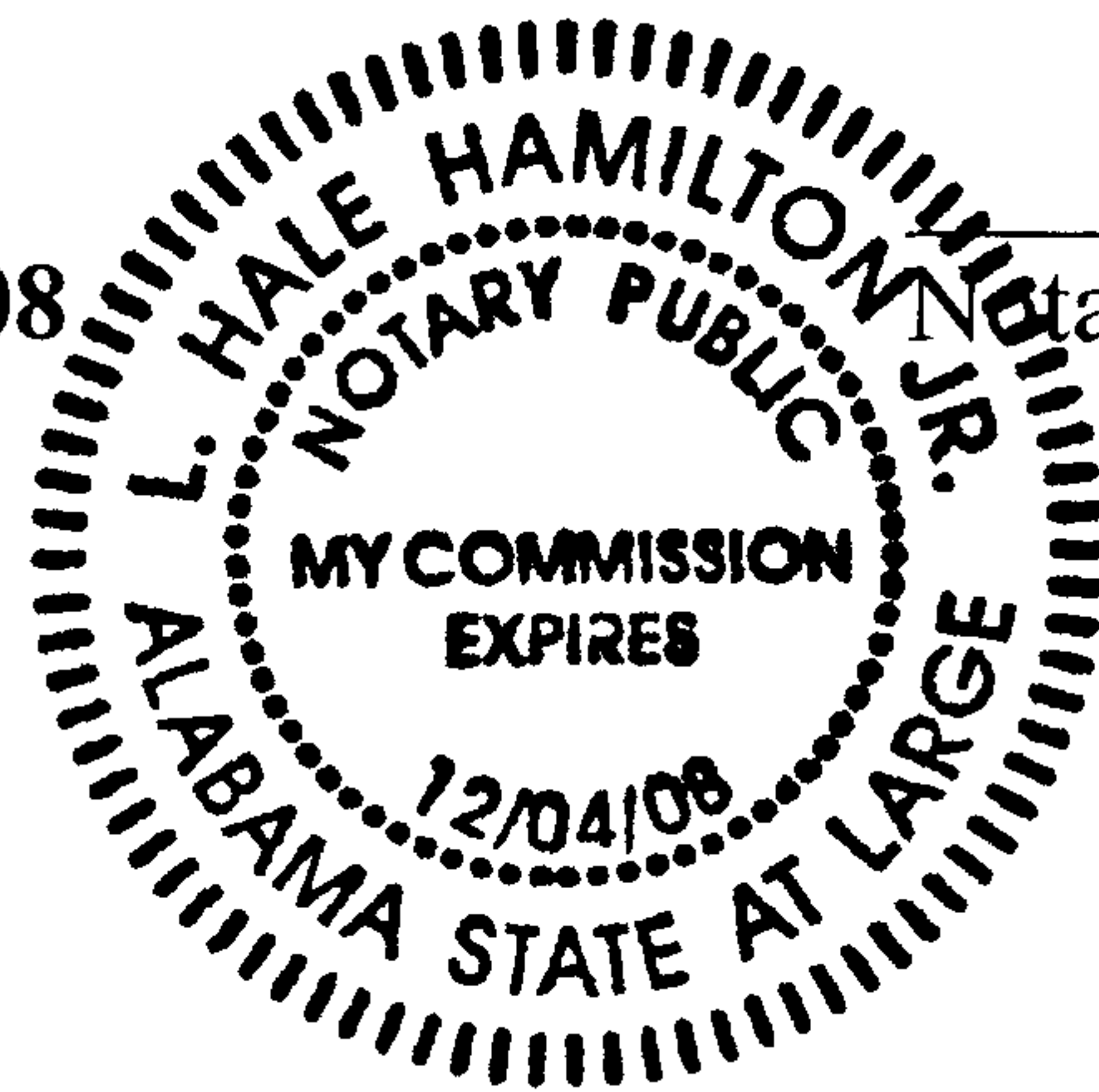


**STATE OF ALABAMA  
COUNTY OF JEFFERSON**

I, the undersigned notary public in for said State, hereby certify that **Herbert M. Martin, III, Terence Malloy Martin and Kelly Martin Laney** whose name(s) is/are signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of this document, he/she executed the same voluntarily on the same bears date.

Given under my hand and signed this date: **January 30, 2006.**

My Commission expires: 12/4/08



*[Signature]*

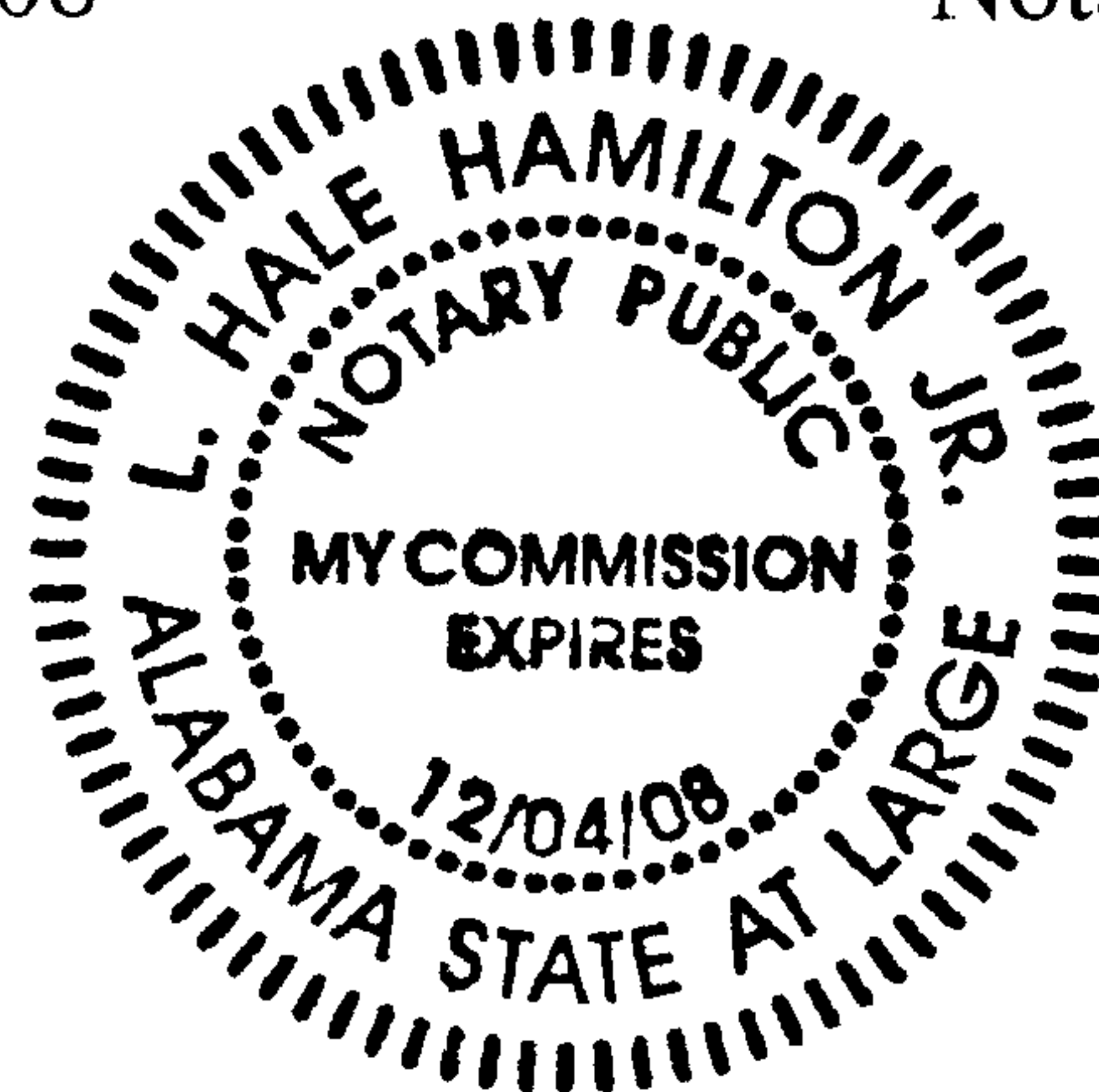
Notary Public

**STATE OF Alabama  
COUNTY OF Jefferson**

I, the undersigned notary public in for said State, hereby certify that **Gray Murray, as Managing Member of Staten Plantation, LLC**, is signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day that, being informed of the contents of this document, as such officer and with full authority, executed the same voluntarily on the same bears date as said act of corporation.

Given under my hand and signed this date: **January 30, 2006.**

My Commission Expires: 12/4/08



*[Signature]*

Notary Public

(Seal)



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EXHIBIT "A"

A part of the West Half of the NW  $\frac{1}{4}$  of Section 17, and a part of the East Half of the NE  $\frac{1}{4}$  of Section 18, all in Township 19 South, Range 2 West, more particularly described as follows:

Commence at the Northeast corner of Section 18, Township 19 South, Range 2 West and run thence West along the North line of said Section 18 for a distance of 271.17 feet to center of Rocky Ridge Road; thence turn an angle to the left of 65 degrees 50' and run Southerly along center of said road 113.63 feet; thence turn an angle to the right of 10 degrees 22' and continue along center of said road 376.75 feet; thence turn an angle to the right of 19 degrees 30' and continue along center of said road 147.18 feet; thence turning an angle to the left of 124 degrees 13' run along a straight line for 857.63 feet to point of beginning, in the center of Cahaba River; thence turn an angle to the left of 180 degrees and run Northwesterly along last named straight line course 857.63 feet to the center of Rocky Ridge Road; thence turn an angle to the left of 55 degrees 47' and run Southwesterly along the center of said road 123.53 feet; thence turning an angle to the left of 27 degrees 52' continue along the center of said road for 187.2 feet; thence turn an angle to the right of 20 degrees 48' and continue along center of said road for 77.61 feet; thence turn an angle to the left of 87 degrees 43' and run Southeasterly for 425 feet to the center of Rocky Branch; thence turn an angle to the right of 38 degrees 48' and run Southerly along the center of Rocky Branch 234.43 feet; thence turn an angle to the left of 43 degrees 42' and continue along center of Rocky Branch 119.75 feet; thence turn an angle to the left of 8 degrees 02' and continue Southeasterly along center of said Branch 144.55 feet; thence turn an angle to the right of 44 degrees 11' and continue along center of said Branch 217.15 feet; thence turn an angle to the right of 38 degrees 59' and run South 29 degrees West along a straight line for 220 feet to the center of the West fork of said Branch; thence to the left and run down the center of said West fork of Branch approximately 285 feet to the Mouth of both forks of said Branch approximately 110 feet to the center of Cahaba River; thence to the left and run Easterly and Northerly and Northeasterly along the center of Cahaba River to the point of beginning; being located for the most part in Jefferson County, Alabama, but a small portion lying East of the West boundary of Section 17, Township 19, Range 2 West, being situated in Shelby County, Alabama.

Except and excluding that portion of the previously described property which was conveyed to The State of Alabama by a corrected warranty deed dated October 3,

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EXHIBIT "A" Continued

1977, as recorded in the Probate Court of Jefferson County at Real Volume 1503 and Page 511, and more particularly described as follows:

Commencing at the southeast corner of the NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  Section 18, T-19-S, R-2-W; thence westerly along the South line of said NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  a distance of 630 foot, more or less, to the southwest property line; thence northwesterly along said southwest property line, a distance of 535 feet, more or less, to the point of beginning of the property herein to be conveyed, said point of beginning being on a line, which extends from a point that is 260 foot southeasterly of and at right angles to the centerline of the relocation for Lower Rocky Ridge at station 23+82 to a point that is 100 feet southeasterly of and at right angles to the centerline of said relocation at Station 17+35; thence northeasterly along said line, a distance of 208 foot, more or less, to said point that is 100 foot southeasterly of and at right angles to the centerline of said relocation at Station 17+35; thence N 11 degrees 45' 00" E along a straight line, a distance of 196 feet, more or less to the northwest property line; thence southwesterly along said northwest property line, a distance of 344 feet, more or less, to the southwest property line; thence southeasterly along said southwest property line, a distance of 153 feet, more or less, to the point of beginning.

Said strip of land lying in the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 13, T-19-S, R-2-W.



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