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Shelby Cnty Judge of Probate,AL
06/22/2006 02:44:51PM FILED/CERT

AFFIDAVIT OF TERMINATION OF RIGHT OF FIRST REFUSAL

STATE OF ALABAMA)
COUNTY OF SHELBY)

RE: Lot 3209, according to the Survey of Highland Lakes, 32nd Sector, an Eddleman Community, as recorded in Map Book 35, Page 23, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

Whereas, the Undersigned Highland Lakes Development, Ltd., an Alabama limited partnership, being the grantor in that certain deed recorded in Instrument No. 20050713000351860 in the Probate Office of Shelby County, Alabama did retain a right of first refusal to repurchase the above described property.

Whereas, David Acton Building Corp., the Grantees has constructed a residence in compliance with the terms set forth in that certain deed recorded in Instrument No. 20050713000351860; and Whereas, Highland Lakes Development, Ltd. hereby terminates its right of first refusal to repurchase the above described property so that David Acton Building Corp., can convey the above described Lot 3209, free and clear of the right to repurchase.

Now Therefore, Highland Lakes Development, Ltd. hereby terminates its right of first refusal to repurchase the above described Lot 3209 as contained in the deed recorded in Instrument No. 20050713000351860.

In Witness Whereof, the undersigned, Douglas D. Eddleman, as President of Eddleman Properties, Inc., in its capacity as general partner of Highland Lakes Development, Ltd., has caused this termination of its right of first refusal on this the 9th day of June, 2006.

Highland Lakes Development, Ltd.
by: Eddleman Properties, Inc.
Its General Partner

BY: _____
Douglas D. Eddleman
President

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Douglas D. Eddleman, whose name as President of Eddleman Properties, Inc., an Alabama Corporation, which is General Partner of Highland Lakes Development, Ltd., an Alabama Limited Partnership, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing conveyance, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said corporation acting in its capacity as general partner of said limited partnership.

Given under my hand and official seal of office this the 9th day of June, 2006.

_____
NOTARY PUBLIC
My Commission expires: 6-5-2007

This Instrument Prepared By:
Clayton T. Sweeney, Attorney at Law
2700 Highway 280 East, Suite 160
Birmingham, AL 35223

N/HL1STREF