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| STATE OF ALABAMA | ) |           |
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|                  | ) | AFFIDAVIT |
| COUNTY OF SHELBY | ) |           |

Before me, the undersigned, personally appeared <u>Grady Scott Lovelady</u>, who after first being duly sworn, deposes and says the following:

My name is Grady Scott Lovelady and I am the President and Authorize Agent for Creekwood Construction, Inc., an Alabama Corporation.

I have entered an agreement to sell the following described property:

Lot 1-A, according to the survey of Melton Street Parcel 1-A, as recorded in Map Book 36, Page 32, in the Probate Office of Shelby County, Alabama. Situated in Shelby County, Alabama.

Shelby County Abstract & Title Company, Inc. and Stewart Title Guaranty Company have issued a title commitment indicating the encroachment of portable building and concrete drive upon property adjoining on the North to the extent shown on survey of James M. Ray, RLS#18383, dated March 4, 2005 and as shown on record map. Shelby County Abstract & Title Company, Inc. and Stewart Title Guaranty Company are requiring an affidavit to remove the above-mentioned exception for the encroachment as shown in said title commitment.

Since the recording of that survey dated March 4, 2005, the above mentioned encroachments have been removed. See attached new survey by James M. Ray, RLS#18383, dated April 15, 2006.

This affidavit is given for the purpose of inducing STEWART TITLE GUARANTY COMPANY and SHELBY COUNTY ABSTRACT & TITLE COMPANY, INC. to insure the aforesaid property against any such exception for said encroachment.

AFFIANT Creekwood Construction, Inc.

By: Grady Scott Lovelady

Its: President

STATE OF ALABAMA ) ACKN

ACKNOWLEDGMENT

I, <u>Chris Smitherman</u>, a Notary Public for the State at Large, hereby certify that the above posted name, <u>Grady Scott Lovelady</u>, whose name as <u>President and Authorized Agent for Creekwood Construction</u>, Inc., an <u>Alabama Corporation</u>, is signed to the foregoing Affidavit, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the Affidavit, <u>he</u> as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

GIVEN UNDER MY HAND AND OFFICIAL SEAL OF OFFICE on this the 23rd day of

<u>June</u>, 2006.

SHELBY COUNTY

NOTARY PUBLIC

My Commission Expires:

