

THIS INSTRUMENT WAS PREPARED BY: MIKE T. ATCHISON,
ATTORNEY AT LAW, INC.
P.O. BOX 822
COLUMBIANA, ALABAMA 35051

STATE OF ALABAMA
SHELBY COUNTY

AFFIDAVIT

Before me, the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared Mike T. Atchison, who after being me first duly sworn, deposes and says on oath as follows:

My name is Mike T. Atchison, and I am a practicing attorney in Shelby County, Alabama, and I am familiar with the following facts:

I was the preparer of that certain deed from Jim Marquess, a married man, to Gary Marquess, dated May 30, 2003, recorded in Instrument #20030703000421180, and also that certain deed dated May 16, 2003, and recorded as Instrument #2004021300077340, in the Probate Office of Shelby County, Alabama, covering the following described property, to-wit:

A parcel of land situated in Section 20, Township 22 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the NW corner of the SE 1/4 of the NW 1/4 in Section 20, Township 22 South, Range 2 West, Shelby County, Alabama; thence South 86 degrees 11 minutes 00 seconds East along the North line of said 1/4-1/4 Section a distance of 1274.65 feet to the point of beginning; thence South 86 degrees 11 minutes 00 seconds East a distance of 88.00 feet; thence South 85 degrees 57 minutes 18 seconds East a distance of 218.25 feet; thence South 00 degrees 43 minutes 40 seconds West a distance of 649.37 feet; thence North 86 degrees 07 minutes 26 seconds West a distance of 378.98 feet; thence North 07 degrees 08 minutes 41 seconds East a distance of 650.00 feet to the point of beginning. Said parcel to be known as Lot 2, according to the unrecorded map of Marquess Subdivision.

Together with an easement across the existing driveway leading from the East boundary of Shelby County #63 to the Westerly boundary of caption lands, as shown on proposed map of Marquess Subdivision.

The above legal description was based on the metes and bounds description furnished to us by Rodney Y. Shiflett, RLS #21784, along with a copy of the proposed subdivision map of Marquess Subdivision. Subsequent to the date of our drafting of the deed and the recording of said deed, the lots on the subdivision map of Marquess Subdivision were renumbered prior to the recording of said subdivision map. The above recited metes and bounds description actually describes Lot 3, according to the survey of Marquess Subdivision, as recorded in Map Book 32, Page 73, in the Probate Office of Shelby County, Alabama.

Atchison

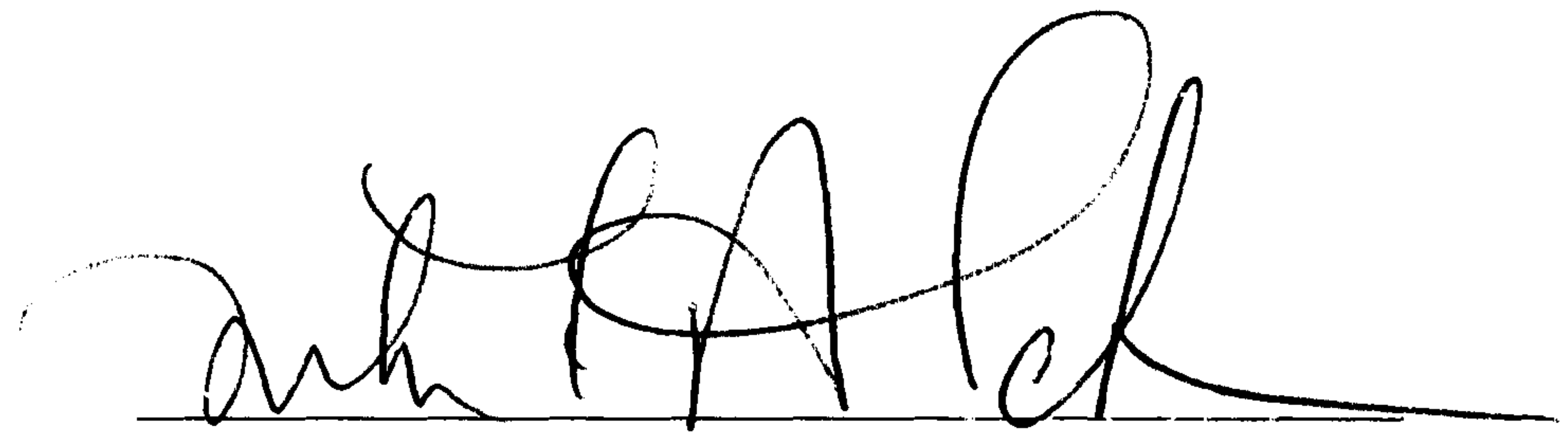
This affidavit is given to establish that Gary Marquess is indeed the owner of the following described property, to-wit:

A parcel of land situated in Section 20, Township 22 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the NW corner of the SE 1/4 of the NW 1/4 in Section 20, Township 22 South, Range 2 West, Shelby County, Alabama; thence South 86 degrees 11 minutes 00 seconds East along the North line of said 1/4-1/4 Section a distance of 1274.65 feet to the point of beginning; thence South 86 degrees 11 minutes 00 seconds East a distance of 88.00 feet; thence South 85 degrees 57 minutes 18 seconds East a distance of 218.25 feet; thence South 00 degrees 43 minutes 40 seconds West a distance of 649.37 feet; thence North 86 degrees 07 minutes 26 seconds West a distance of 378.98 feet; thence North 07 degrees 08 minutes 41 seconds East a distance of 650.00 feet to the point of beginning. Said parcel is now known as Lot 3, according to the survey of Marquess Subdivision, as recorded in Map Book 32, Page 73, in the Probate Office of Shelby County, Alabama.

Together with an easement across the existing driveway leading from the East boundary of Shelby County #63 to the Westerly boundary of caption lands, across Lots 1 and 2, according to survey of said Marquess Subdivision, as recorded in Map Book 32, Page 73, in the Probate Office of Shelby County, Alabama.

Further the affiant saith not.



Mike T. Atchison

Sworn to and subscribed to before me
This 22nd day of September, 2006.



Notary Public

My commission expires: 10/16/08