

20070105000007250 1/2 \$14.00
Shelby Cnty Judge of Probate, AL
01/05/2007 03:08:16PM FILED/CERT



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LIEN WAIVER & POSSESSION AFFIDAVIT

Before me, the undersigned, a Notary Public in and for the State of Alabama, personally appeared Michael M. Partain, who is known to me and, who, being by me first duly sworn, deposed and stated the following:

1. I am an Assistant Secretary of United States Steel Corporation, a Delaware corporation, and duly authorized to give this affidavit for and on behalf of United States Steel Corporation.
2. United States Steel Corporation, as of the date hereof, owns the real estate described on **Exhibit "A"** attached hereto and made a part hereof.
3. For more than six (6) months prior to the date hereof, no material or labor has been furnished in connection with the improvements, if any, located on said real estate, other than those for which the bills have been paid or will be paid, and that there are no unpaid mechanics' or materialmen's liens affecting said real estate.
4. United States Steel Corporation has been in actual possession of said real estate.

Further affiant saith not.

Michael M. Partain
Michael M. Partain
Assistant Secretary - United States Steel Corporation

STATE OF ALABAMA)
JEFFERSON COUNTY)

Sworn to and subscribed before me this 29th day of September, 2006.

Mary Ann Armstrong
Notary Public

[SEAL]

My Commission Expires: March 22, 2008

The Property

(Heatherwood Tract at Wine Ridge Lane)

Tract of land situated in the SW-1/4 of SW-1/4 of Section 9, Township 19 South, Range 2 West of the Huntsville Principal Meridian, Shelby County, Alabama, and being more particularly described as follows:

BEGIN at the SW corner of Section 9, Township 19 South, Range 2 West and run northerly along the west line of said Section 9, 1,594.81 feet to the NW corner of a tract of land conveyed by USX Corporation to Heatherwood Golf Club, Inc. by document dated September 30, 1999; thence right 153°-23'-21" and run southeasterly along the west property line of said Heatherwood Golf Club tract 1,423.53 feet, more or less, to a point on the center line of a public road (Heatherwood Drive) as conveyed by United States Steel Corporation to Shelby County, Alabama by document dated June 3, 1966, said point being on a curve of a curve to the left having a central angle of 3°-15'-25.1" and a radius of 1,910.08 feet; thence right 78°-29'-25" (angle measured to the chord) and run southwesterly along said arc and roadway centerline 108.58 feet to the point of tangent; thence continue in the tangent and along said roadway centerline in a southwesterly direction 414.91 feet, more or less, to a point on the south line of said Section 9; thence right 42°-16'-00", more or less, and run westerly along the south line of said Section 9 233.46 feet to the **POINT OF BEGINNING**.

Said tract containing 12.4 acre, more or less.

Excepting from the above described tract of land the following tract conveyed by United States Steel Corporation to the Heatherwood Homeowner's Association, Inc.:

Commence at the SW corner of the SW-1/4 of SW-1/4 of Section 9, Township 19 South, Range 2 West and run easterly along the south line of said quarter-quarter, 173.86 feet to the **POINT OF BEGINNING** of the herein described tract of land; thence left 123°-00'-00" and run northwesterly 15.76 feet; thence right 84°-40'-22" and run northeasterly 89.23 feet, more or less, to a point on the south right-of-way line of a public road (Wineridge Lane); thence right 73°-10'-02" and run southeasterly along said south right-of-way line 20.0 feet, more or less, to a point on the north right-of-way line of a public road (Heatherwood Drive); thence right 102°-53'-00", more or less, and run southwesterly along last said north right-of-way line 84.91 feet, more or less, to a point on the south line of said quarter-quarter; thence right 42°-16'-00" and run westerly along the south line of said quarter-quarter 15.0 feet, more or less, to the **POINT OF BEGINNING**.

EXHIBIT A