THIS INSTRUMENT WAS PREPARED BY:

MICHAEL T. ATCHISON,
ATTORNEY AT LAW, INC.
P.O. BOX 822
COLUMBIANA, ALABAMA 35051

STATE OF ALABAMA
SHELBY COUNTY

20070131000046250 1/1 $11.00
Shelby Cnty Judge of Probate,AL
01/31/2007 09:32:28AM FILED/CERT

AFFIDAVIT

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

My name is Michael T. Atchison, and I am attorney licensed to practice in the State of Alabama. I am representing Central State Mortgage in the closing of transaction from Robert L. Austin, to Donna Tra Latham. Central State Mortgage is the broker for America's Wholesale Lender, who is financing the transaction. I have been asked to issue this affidavit concerning my understanding of the title to the property, which is the subject of this transaction, being:

> Lot 1, Block 264, according to the Plat of Resurvey of Lots 1, 2, 3, 4, 6, 7, 8, and 9, in Block 264, of the Town of Calera, as recorded in Map Book 3, Page 123, in the Office of the Judge of Probate of Shelby County, Alabama.

My examination of the title records reveals that this property was foreclosed on 26 November, 2002, by Chase Manhattan Mortgage Corporation. Foreclosure deed is filed as Instrument #2002-61631, in the Probate Office of Shelby County, Alabama. Subsequent to foreclosure, Chase Manhattan Mortgage Corporation gave a deed to the Secretary of HUD, conveying same property. This deed is recorded as Instrument #2003-39205, in said Probate Office. Subsequent to that, the Secretary of HUD conveyed the property to Leah Nicole Thrasher, as shown in Instrument #2003-62216, in said Probate Office. To purchase the property, Ms. Thrasher executed a mortgage to Robert L. Austin, as recorded in Instrument #2003-62217, in said Probate Office. On 3 November, 2006, after becoming delinquent in her payments to Mr. Austin, Ms. Thrasher executed a deed in lieu of foreclosure to Robert L. Austin. This deed was not recorded until January 4, 2007, in Instrument #2007-0527, in said Probate Office. At this point in time, the title to the property is vested in: Robert L. Austin.

Further the affiant saith not.

Michael T. Atchison

Sworn to and subscribed to before me
This 8th day of January, 2007.

Notary Public

My commission expires: 10/16/08