

# HOMESTEAD AFFIDAVIT

Before me, the undersigned authority, personally appeared: MIRIAM <sup>Rogers</sup>RODGERS FOWLER, A SINGLE WOMAN  
("Affiants") who being by me duly sworn, depose and say that: <sup>MRF</sup>

1. Affiants are the owners of the following real property ("the Property"):

281 TWELVE OAKS CIRCLE, CHELSEA, AL 35043

SEE ATTACHED EXHIBIT 'A'

2. The Property is either: (a) a single family dwelling on a lot which does not exceed ½ acre and is in a platted residential subdivision; or (b) a residential condominium unit.

3. Since the date they acquired title to the Property, Affiants have continuously and uninterruptedly:

- A. Resided on the Property as their permanent residence and considered the Property to be their homestead.
- B. Claimed the homestead tax exemption on the Property, and the exemption has never been denied or revoked.
- C. Used the Property exclusively for residential purposes.
- D. Been in sole possession of the Property and have not leased all or any portion of it.
- E. Used the address of the Property as their addresses on their Alabama Driver's Licenses and Federal income tax returns.

4. Affiants have received no notices, letters or demands indicating that the holders of the following judgments have started on intend to start proceedings to levy against the property:

(All of the Public Records of the county in which the Property is located.)

5. None of the judgments described referenced above:

- A. resulted from obligations incurred in the purchase, improvement or repair of the Property;
- B. is in favor of the United States or its agencies;
- C. is a Child Support Certificate of Delinquency;
- D. is a lien for taxes or special assessments; or
- E. is a lien in favor of a state, county, municipality or any of their agencies, including a code enforcement board.

6. This affidavit is made for the purpose of inducing: Frank P. Mehok, Jr, Attorney at Law., to close the transaction, and Old Republic National Title Insurance Company ("Old Republic " to insure title to the Property pursuant to Title Insurance Commitment Number 27-20983966 Without exception for judgments referenced above.

7. The transaction referenced in the Commitment is a (check one):

- ☐ Sale and conveyance for value to a bona fide purchaser or purchasers who are unrelated to Affiants by blood or marriage and with whom Affiants have no business relationship.
- ☒ A refinance or second mortgage to an institutional lender of which neither Affiant is a director or officer

8. The amount of the judgments, including interest calculated through the expiration date (assuming no refiling) will not exceed in the aggregate, the lesser of \$50,000.00 or 20% of the amount of the coverage of the title insurance policy(ies) to be issued by Fidelity National pursuant to the above Title Insurance Commitment.

9. Affiants hereby indemnify and hold Frank P. Mehok, Jr, Attorney at Law., and Old Republic National Title Insurance Company harmless for any loss or damages which it may sustain as a result of issuing title insurance on the Property without exception for any judgments against Affiants including, but not limited to, those referenced above.

 (SEAL)  
MIRIAM RODGERS FOWLER  
<sup>Rogers</sup>

STATE OF ALABAMA

COUNTY OF SHELBY

Sworn to and subscribed before me this <sup>Rogers</sup> Day of March, 2009 by: MIRIAM RODGERS FOWLER, A SINGLE WOMAN  
and who were personally known to me or produced a drivers license as identification <sup>KAR</sup>

Notary Public

Kimberly A. Light  
Notary Public

My Commission Expires  
December 2, 2010

EXHIBIT "A"

20090316000095140 2/2 \$14.00  
Shelby Cnty Judge of Probate, AL  
03/16/2009 12:35:43PM FILED/CERT

SITUATE IN THE COUNTY OF SHELBY, STATE OF ALABAMA:

LOT 7, ACCORDING TO THE AMENDED MAP OF TWELVE OAKS SUBDIVISION, AS RECORDED  
IN MAP BOOK 15, PAGE 16, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

TAX I.D. NO: 15-5-22-0-000-004.020

BEING THE SAME PROPERTY CONVEYED BY WARRANTY DEED

GRANTOR: CHARLES R.KELL AND KAREEN KELL, HUSBAND AND WIFE

GRANTEE: MIRIAM RODGERS FOWLER,

DATED: 12/8/1997

RECORDED: 12/9/1997

DOC#/BOOK-PAGE: 1997-40074

NOTE: FOR STREET NUMBERING PURPOSES KNOWN AS: 281 TWELVE OAKS CIRCLE, CHELSEA,  
ALABAMA - 35043-9748

END OF SCHEDULE A