


STATE OF ALABAMA)
COUNTY OF SHELBY)


20090325000109450 1/2 \$14.00
Shelby Cnty Judge of Probate, AL
03/25/2009 09:11:56AM FILED/CERT

AFFIDAVIT REGARDING MORTGAGE SATISFACTION

COMES NOW **Anne Bearden**, as "Affiant" herein, and after first having been duly sworn, said Affiant does hereby depose and say, as follows:

1. I have personal knowledge of the facts stated herein, am over the age of nineteen (19) years and am competent to execute this affidavit.
2. On April 18, 1990, Nora Whatley, an unmarried woman, conveyed certain real property to me, in consideration of \$40,000.00, same of which is situated in Shelby County, Alabama, and more particularly described within the warranty deed, recorded in the Office of the Probate Judge, Shelby County, Alabama, at Real Book 288, Page 331.
3. Upon the date hereinabove referenced, I executed a mortgage in favor of Nora Whatley, in the sum of \$40,000.00, whereby the said real estate which was conveyed to me was simultaneously mortgaged to Nora Whatley. Said mortgage was recorded in the Office of the Probate Judge, Shelby County, Alabama, at Real Book 288, Page 332.
4. In December, 1997, I submitted my final payment to Nora Whatley, and fully satisfied the indebtedness secured by said mortgage. However, Nora Whatley never provided me with a release of said mortgage and I failed to request that she do so.
5. Nora Whatley deceased in May, 2004, and her will was subsequently submitted to probate with the Probate Court, Shelby County, Alabama, with letters testamentary having been issued to Mark Whatley in Case No. PR-2005-000319. While her estate was pending, it did not occur to me to request a release of the above referenced mortgage.
6. As of the date of my signing of this affidavit, the above referenced mortgage to Nora Whatley has been satisfied for a period exceeding 11 years, and it has been that long since I made my final payment upon said mortgage.
7. I have not owed Nora Whatley, or any other person or entity, any obligation upon the above referenced mortgage for a period exceeding 11 years, and have made no commitment or agreement for extensions, future advances, or any other form of

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restructure of said indebtedness relating to said mortgage since I signed same on April 18, 1990. Furthermore, since December, 1997, no person or entity has claimed that any additional amounts are due under said mortgage.

8. This affidavit is given for the purpose of establishing the fact that said mortgage has been fully satisfied for a period exceeding 11 years, next immediately preceeding my satisfaction of said mortgage.

Further, the Affiant saith naught.



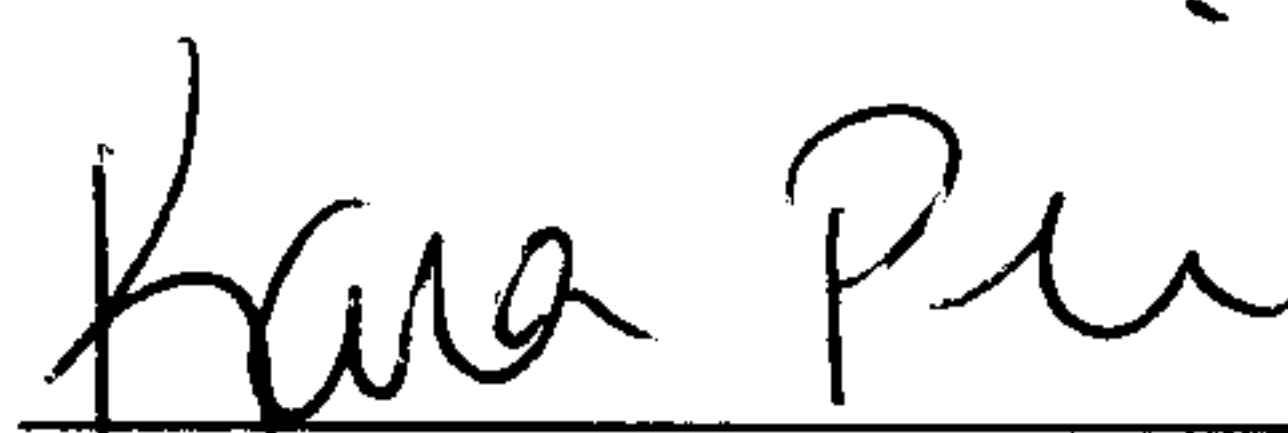
Anne Bearden

STATE OF ALABAMA)

COUNTY OF SHELBY)

I, the undersigned authority, a notary public in and for said county, in said state, hereby certify that Anne Bearden, whose name 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 said affidavit, she executed the same voluntarily, with full knowledge of the contents thereof.

Given under my hand and official seal this 20th day of March, 2009.



Notary Public

My commission expires: 2/17/10

INSTRUMENT PREPARED BY:
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