

HOMESTEAD AFFIDAVIT

Before me, the undersigned authority, personally appeared: **DELBERT S. HIESTAND III, A SINGLE PERSON**, "Affiants") who being by me duly sworn, depose and say that:

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

500 CREEKVIEW DRIVER, PELHAM., AL 35124

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 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 filed pursuant to section 61.14, Florida Statutes;
 - 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.

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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("Old Republic" to insure title to the Property pursuant to Title Insurance Commitment Number 27-21118464 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.
- ___X___ 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 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)
DELBERT S. HIESTAND III

STATE OF ALABAMA

COUNTY OF SHELBY

Sworn to and subscribed before me this 15 Day of September ,2009 by: **DELBERT S. HIESTAND III**, A SINGLE MAN., and who were personally known to me or produced a drivers license as identification

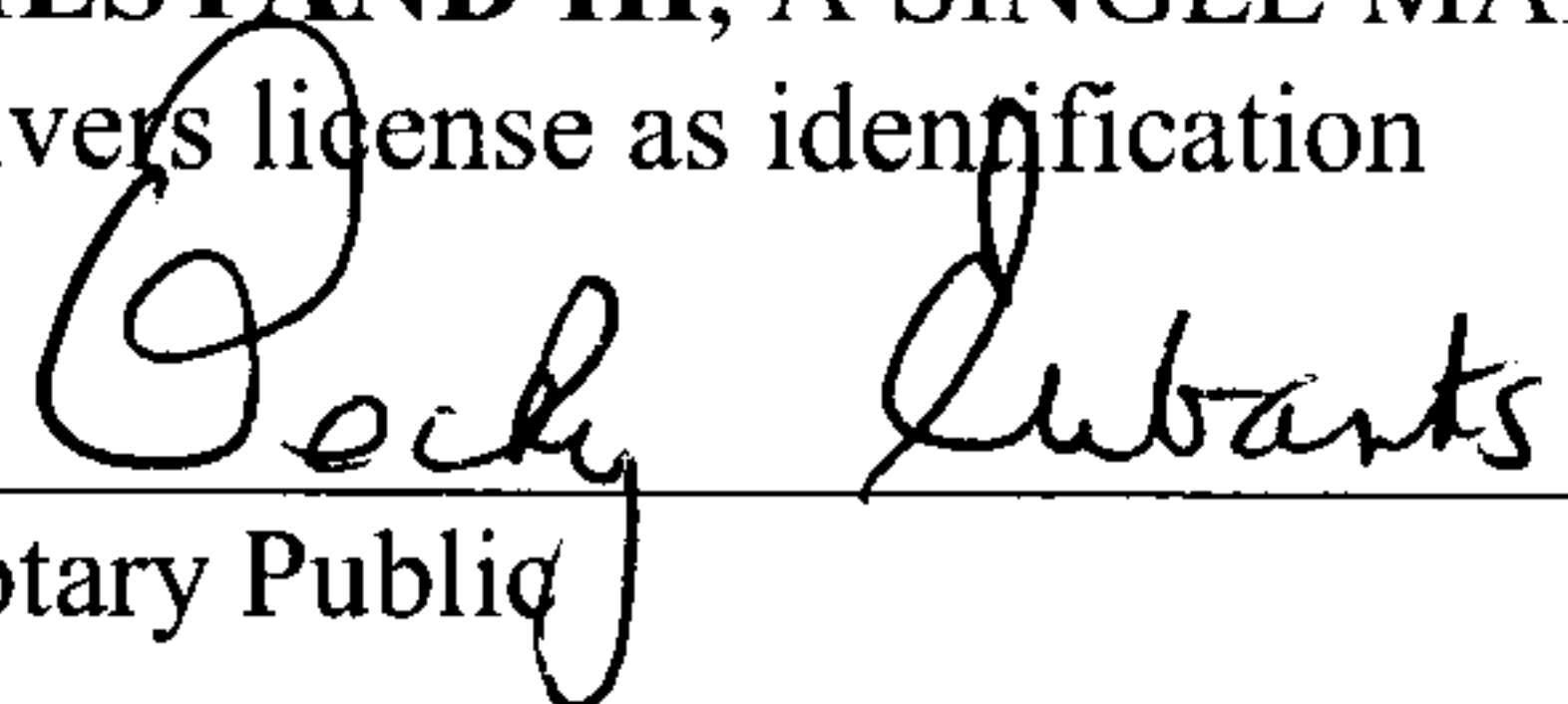


Notary Public



EXHIBIT "A"


20090923000364000 3/3 \$17.00
Shelby Cnty Judge of Probate, AL
09/23/2009 03:10:33 PM FILED/CERT

SITUATE IN THE COUNTY OF SHELBY, STATE OF ALABAMA:

LOT 1, BLOCK 3, ACCORDING TO THE SURVEY OF OAK MOUNTAIN ESTATES, AS RECORDED IN MAP BOOK 5, PAGE 57, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA; ALSO: PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 20, RANGE 3 WEST, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE MOST WESTERLY CORNER OF LOT 1, BLOCK 3, OAK MOUNTAIN ESTATES, THENCE RUN NORTHEASTERLY ALONG THE NORTHWEST LINE OF LOT 1, 145 FEET TO A POINT ON THE SOUTHWEST LINE OF LOT 2, IN SAID SURVEY; THENCE AN ANGLE TO THE LEFT OF 90 DEGREES AND NORTHWESTERLY ALONG THE SOUTHWEST LINE OF LOT 2, 27.5 FEET; THENCE AN ANGLE TO THE LEFT 90 DEGREES AND RUN SOUTHWESTERLY A DISTANCE OF 145 FEET TO A POINT ON THE NORTHEAST RIGHT OF WAY OF BEARDEN ROAD; THENCE AN ANGLE TO THE LEFT OF 90 DEGREES AND SOUTHEASTERLY 27.5 FEET TO THE POINT OF BEGINNING, BEING SITUATED IN SHELBY COUNTY, ALABAMA.

TAX I.D. NO: 131114002019000

BEING THE SAME PROPERTY CONVEYED BY GENERAL WARRANTY DEED

GRANTOR: JEANIE B. TURNER, AN UNMARRIED WOMAN

GRANTEE: DELBERT S. Hiestand III,

DATED: 9/17/2003

RECORDED: 9/23/2003

DOC#/BOOK-PAGE: 20030923000638800

NOTE: FOR STREET NUMBERING PURPOSES KNOWN AS: 500 CREEKVIEW DR., PELHAM, AL
35124-1608

END OF SCHEDULE A