

THIS INSTRUMENT WAS PREPARED BY: MIKE T. ATCHISON, ATTORNEY AT LAW, INC.
P.O. BOX 822
COLUMBIANA, ALABAMA 35051

STATE OF ALABAMA
SHELBY COUNTY



20100205000036360 1/1 \$14.00
Shelby Cnty Judge of Probate, AL
02/05/2010 08:20:08 AM FILED/CERT

AFFIDAVIT

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

My name is Mike T. Atchison, and I am a practicing attorney in Shelby County, Alabama, and I am familiar with the following facts:

On July 27, 2007, I closed that certain transaction between William T. Harrison and wife, Michele B. Harrison, and J. Len Howell and wife, Michelle Howell, as shown by deed recorded in Instrument #20070808000370390, and by the mortgages recorded in Instrument #20070808000370400, and Instrument #20070808000370410, all in the Probate Office of Shelby County, Alabama. The legal description on these documents was furnished to my office by the Seller and no survey was provided.

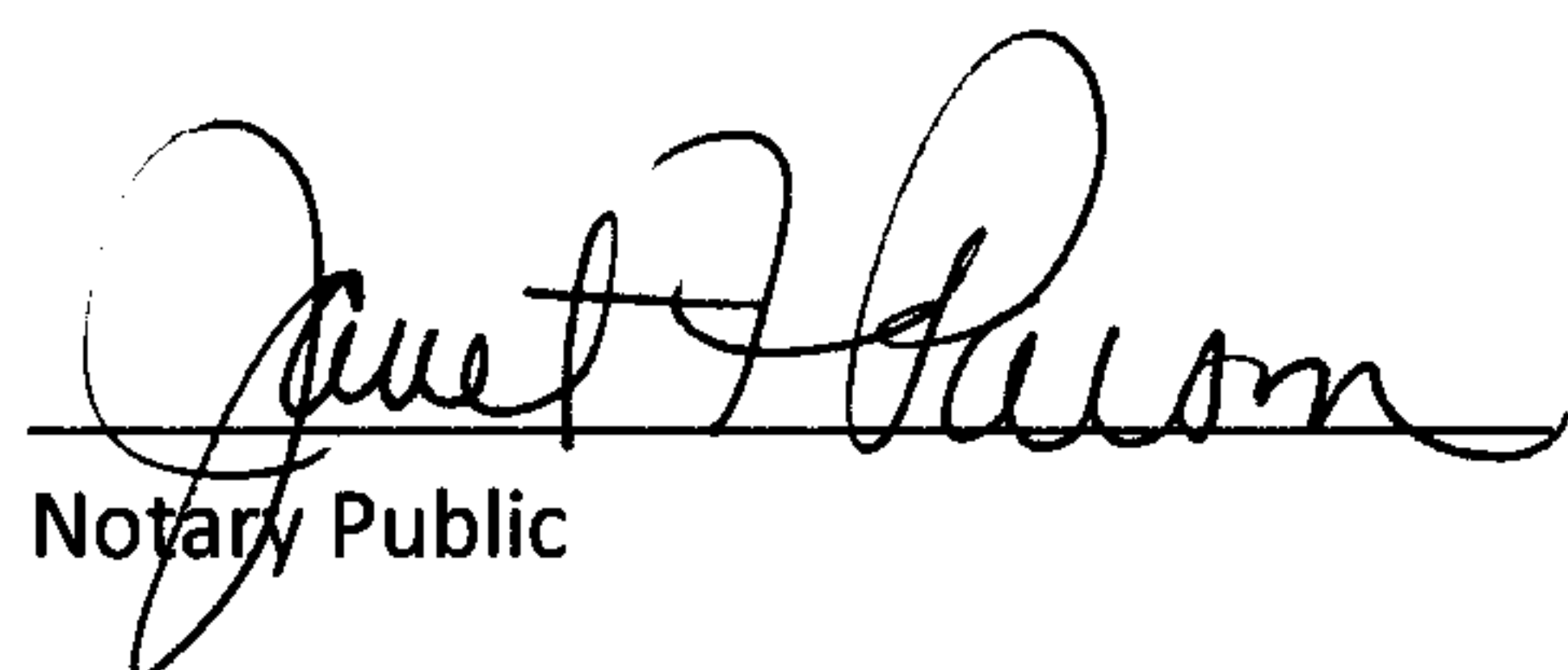
Subsequent to the closing, the County Attorney, Mr. Frank C. Ellis, contacted Mr. Howell and Mr. Harrison concerning obtaining an easement across the property. It was at that point that Mr. Harrison realized that the legal description contained in the deed was incorrect and that Mr. Howell did not receive all of the property that he had contracted to purchase. I was subsequently furnished with a survey of the 14.55 acres that should have been conveyed. On November 6, 2008, the Harrisons executed a corrective deed to the 14.55 acres, and said deed was recorded in Instrument #20081106000432010, in Probate Office of Shelby County, Alabama.

I was never requested to, nor did I prepare corrective mortgages for the above recited mortgages prior to the current date. This affidavit is given to establish the facts surrounding the execution of the corrective deed recorded in Instrument #20081106000432010, and the corrective mortgages as recorded in Instrument #20100205000036340, and Instrument #20100205000036350, in the Probate Office of Shelby County, Alabama, to reflect the legal descriptions for which the Howells contracted.

Further the affiant saith not.


Mike T. Atchison

Sworn to and subscribed before me
This 4th day of February, 2010.


Notary Public

My commission expires: 10/16/2012