

AFFIDAVIT AND INDEMNITY

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Shelby Cnty Judge of Probate, AL
10/05/2010 01:53:43 PM FILED/CERT

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority, a Notary Public in and for said State and County, personally appeared **Richard E. Norman and Patricia C. Norman**, who, having been first duly sworn, depose and say as follows:



We are the current owners of property commonly known as 3244 Brook Highland Trace, Birmingham, AL, and being described as:

Lot 22, according to the Survey of Brook Highland, 1st Sector, as recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Map Book 12, Page 62 A & B.

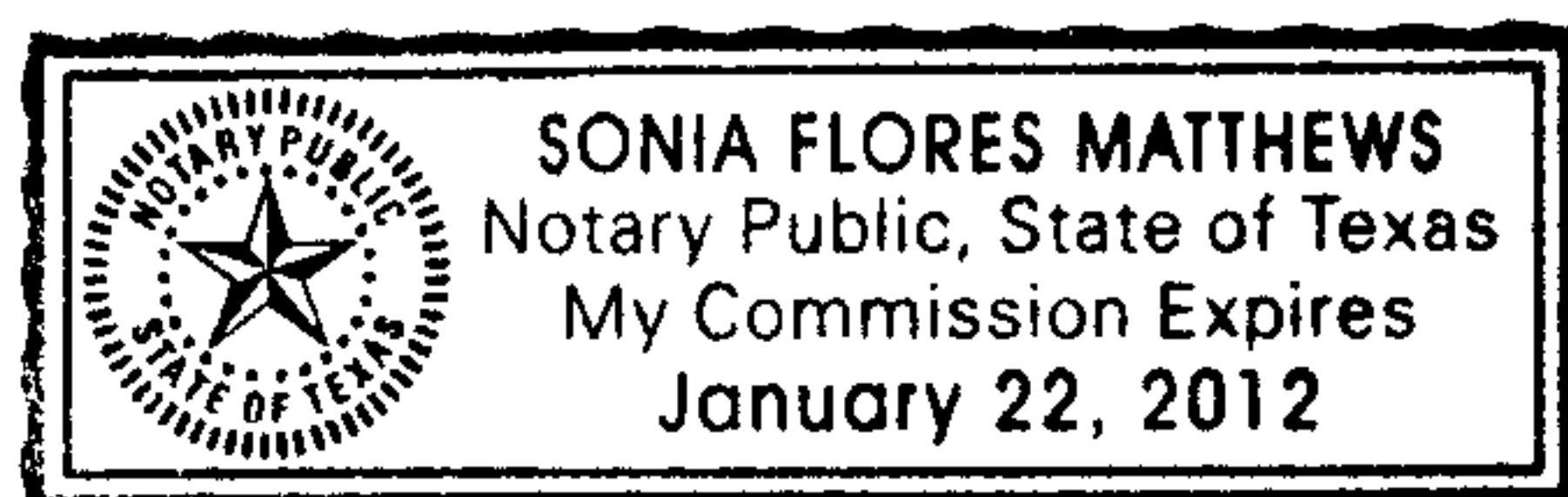
On September 25, 1998 we purchased the above captioned property from Michael and Patricia Henderson. It has now been brought to our attention that a prior mortgage has not been satisfied in the Probate records; said mortgage being executed from Donald C. Borio and Gail A. Borio on March 18, 1993 in favor of Troy & Nichols, Inc., and recorded April 8, 1993 in Instrument 1993-09603 in the Office of the Judge of Probate of Shelby County, Alabama. According to the chain of title and terms of the note, said mortgage would have been paid in full at the sale of the property to Michael and Patricia Henderson on January 30, 1997, or the mortgage would have matured on April 1, 2008, if not already paid in full. The lender of record, Troy & Nichols, Inc., merged with Chase Home Mortgage in 1994. Since the date of said purchase, we have received no notice from any interested party claiming default or non-payment.


This affidavit is being given for the purposes of inducing Mississippi Valley Title Insurance Company and Old Republic National Title Insurance Company to issue its policies of title insurance to iBeria Bank Mortgage, its successors and assigns, as Lender, without exception to this unreleased mortgage. We do hereby agree to indemnify Mississippi Valley Title Insurance Company and Old Republic National Title Insurance Company for any loss, cost, claim, damage, judgement or decree, including all costs and attorneys fees which they may experience or be required to pay arising out of the issuance of its mortgagee title insurance policy resulting from this mortgage not being paid in full or not being released of record.

IN WITNESS WHEREOF, I have hereunto set my hand on this the 27 day of September, 2010.


Richard E Norman

Patricia C Norman

SWORN TO AND SUBSCRIBED before me on this the 27 day of September, 2010.




NOTARY PUBLIC
Commission Expires JANUARY 22, 2012

Prepared by:
Paul G. DeLaitsch, P.C.
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Montgomery, AL 36117