

SELLERS' AFFIDAVIT AND INDEMNITY

Case No 191069-A

Jerri Denise Downs (Myers) and Robert Howell Myers, III, hereinafter referred to collectively as "owner", being first duly sworn, on oath deposes and states that they own the property described below

Jerri Denise Downs (Myers) and Robert Howell Myers, III have owned the property, now being sold by them, continuously since 1989, and the enjoyment thereof has been peaceable and undisturbed. The title of said property has never been disrupted to our knowledge, nor do we know of any facts by reason of which the title to, or possession of, said property might be disputed or of any reason which any claim to any of said property might be asserted adversely to us, said property being more particularly described as follows:

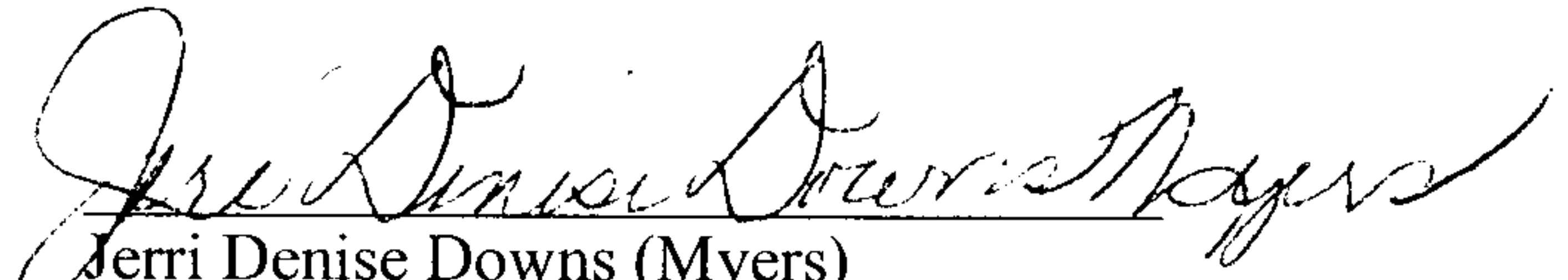
Lot 86 and the South 5 feet of Lot 85, according to the Survey of Cahaba Manor Town Homes, as recorded in Map Book 6, Page 105, in the Probate Office of Shelby County, Alabama.

1. That there was a purchase money mortgage on the above described property made by Jeri Denise Downs to Gulf American, Inc. in the amount of \$55,950.00, dated April 21, 1989 and recorded in Book 235, Page 557 and subsequently transferred to Bancplus Mortgage Corp. by Instrument 1992-29833 in the Probate Office of Shelby County, Alabama. This mortgage has never been released by the loan servicing company.
2. This mortgage in paragraph 1 was paid off with a 1993 re-finance that my husband, Robert Howell Myers, III and I made on the above described property made with Steiner Bank in the amount of \$56,000.00, dated July 13, 1993 and recorded in Instrument 19930723000216791 in the Probate Office of Shelby County, Alabama.
3. That there was a mortgage on the above described property made by Robert Howell Myers, III and Jeri Downs Myers to Johnson & Associates Mortgage Company in the amount of \$3,000.00, dated May 5, 1998 and recorded in Instrument 1999-12936 and subsequently transferred to First Alabama Bank by Instrument 2001-44505 in the Probate Office of Shelby County, Alabama..
4. The mortgage in paragraph 3 was paid off and has never been released by the loan servicing company.
5. That there was a mortgage on the above described property made by Robert Howell Myers, III and Jeri Downs Myers to Bancmortgage Financial Corp. in the amount of \$68,000.00, dated May 18, 1998 and recorded in Instrument 19980526 in the Probate Office of Shelby County, Alabama.
6. The last mortgage on the above described property made by my husband and me was to Bank of America, NA in the amount of \$62,525.00, dated May 20, 2005 and recorded in Instrument 20050610000286690 in the Probate Office of Shelby County, Alabama. This is the only indebtedness that we have against the above described property.

This affidavit is given to induce Magic City Title, Inc., as agent for Commonwealth Land Title Insurance Company to issue an owner's title insurance policy without exception to the mortgages referred to in paragraphs 1 and 3 above. As an inducement therefor, said affiant agrees to indemnify and hold Commonwealth Land Title Insurance Company and/or its agent, Magic City Title harmless of and from any and all loss, cost, damage and expense of every kind, including Attorneys' fees, which said aforementioned Title Insurer and/or its agent shall or may suffer or incur or become liable for under its said policy now to be issued, or any reissue, renewal or extension thereof, directly or indirectly, if the Company determines to issue the policy without reference to the aforementioned items, as a result of any misrepresentation herewith.

IN WITNESS WHEREOF, the said Jerri Denise Downs (Myers) and Robert Howell Myers, III have set their signatures and seals on this the 22nd day of August, 2014.

WITNESSES:



Jerri Denise Downs (Myers)


Robert Howell Myers, III

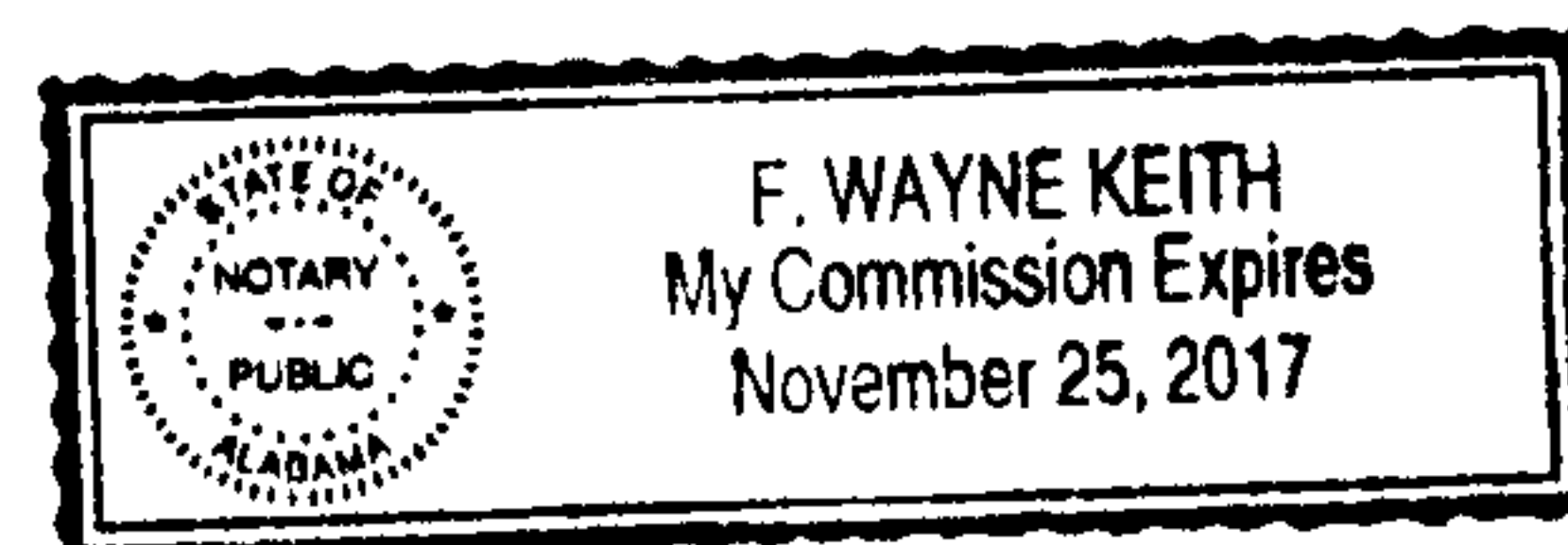
STATE OF ALABAMA
COUNTY OF SHELBY

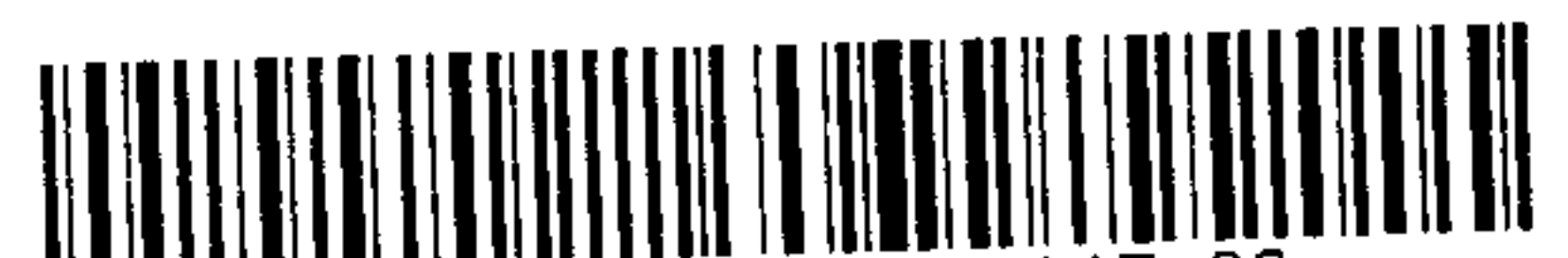
I, the undersigned, a Notary Public in and for said County, in said State hereby certify that Jerri Denise Downs (Myers) and Robert Howell Myers, III, whose names are signed to the foregoing affidavit and who are known to me, acknowledged before me, that, being informed of the contents of the affidavit, they executed the same voluntarily for and as their act on the day the same bears date

Given under my hand and seal this the 22nd day of August, 2014



Notary Public




20140828000270560 2/2 \$17.00
Shelby Cnty Judge of Probate, AL
08/28/2014 09:51:33 AM FILED/CERT