STATE OF ALABAMA SHELBY COUNTY

AFFIDAVIT

Before me, the undersigned authority, in and for said County and State, personally appeared James D. Smith, Jr., who, being known to me and being by me first duly sworn, deposed and said as follows:

My name is James D. Smith, Jr.. There appears of record the following judgment styled: Regions Bank F/K/A AmSouth Bank vs. James D. Smith in the amount of \$224,077.37 plus \$382.00 costs of suit, dated February 6, 2009, recorded in Inst. No. 2009-0220000061290. I am not one and the same person as James D. Smith, recited in above mentioned judgment.

Further, deposing, affiant says that I, James D. Smith, Jr. is not one and the same person as James D. Smith recited in Instrument No. 2009-0220000061290, dated February 6, 2009 and recorded in Inst. No. 2009-0220000061290.

James D. Smith, Jr.

STATE OF ALABAMA COUNTY OF SHELBY

I, the undersigned a Notary Public in and for said County, in said State, hereby certify that James D. Smith, Jr., whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day, that, being informed the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 22nd day of ADI

My Commission Expires: 140017

Instrument Prepared By: Ellis, Head, Owens & Justice P O Box 587 Columbiana, AL 35051

Shelby Cnty Judge of Probate, AL 05/01/2015 09:29:59 AM FILED/CERT