## SELLER/OWNER AFFIDAVIT

May 10, 2013

I, Norma Jean Morrow (a/k/a Norma Jean Poteete Morrow), an unmarried woman and an individual resident of the State of Arkansas ("<u>Seller</u>"), who is the owner of certain real estate located in England, Lonoke County, Arkansas, more particularly described on <u>Exhibit A</u> attached hereto (the "<u>Property</u>"), hereby represents, warrants, and certifies that the following statements are true:

A. **INTEREST IN PROPERTY**: Seller hereby represents that she owns the Property in fee simple.

B. **POSSESSION**: There are no tenants or persons who are in possession of, or who are entitled to the right of possession of, the Property.

C. <u>MECHANICS' LIENS</u>: No material or labor has been supplied or furnished under the authority of and/or on behalf of the Seller in connection with said Property and no improvements have been made to the Property for which a lien for labor provided or materials supplied may be filed, other than those for which the bills have been paid in full.

D. <u>PENDING LITIGATION; CONDEMNATION PROCEEDINGS</u>: There are no judgments (or pending litigation) against the Seller, and there are no suits, judgments, executions or any other matters pending in any court or tribunal that could in any way affect title to the Property or constitute a lien thereon. In addition, Seller has not received notice of any actual or threatened condemnation proceedings affecting the Property.

E. <u>MUNICIPAL ASSESSMENTS AND OTHER DUES AND</u> <u>ASSSESSMENTS</u>: There are no outstanding municipal assessments, fire dues, library dues or other assessments owed to any governmental authority or that are otherwise due which could be imposed against the Property.

F. <u>UNRECORDED MATTERS</u>: There are no unrecorded options, instruments, agreements, contracts, easements, documents, facts, matters or conditions of any kind or character whatsoever affecting title to the Property.

G. <u>AD VALOREM TAXES</u>: There are no ad valorem taxes, assessments or other charges imposed against the Property which are outstanding other than those ad valorem taxes and assessments for the calendar year 2013 and subsequent years, which are not yet due and payable.

1

H. <u>CLAIMS TO TITLE</u>: There has been no claim made or dispute with respect to the title of the Property during the ten (10) year period prior to the date of this Affidavit.

## I. <u>MISCELLANEOUS</u>.

(1) Seller has not received any notice that the Property is in violation of any government rules or regulations.

(2) The boundaries of the Property are clearly marked and, to the best knowledge and belief of the Seller, there are no disputes concerning the location thereof.

(3) There is no violation by the Seller of any restriction, which may have been imposed upon the Property.

(4) Seller has no knowledge of any facts, which could cause the Seller to believe that there is a violation by any person or entity of any restrictions, which may have been imposed upon the Property.

(5) Seller is not aware of any easements, restrictions, covenants, conditions, defects, liens, encumbrances or other matters affecting the Property, other than those matters specifically identified in that certain Title Commitment No.E-13-56853, with an effective date of March 4, 2013 (the "<u>Title Commitment</u>"), and issued by Standard Abstract & Title Company, as agent for First American Title Insurance Company (the "<u>Title Company</u>"), a copy of which is attached hereto as Exhibit B.

(6) Seller covenants and warrants that the Property is currently zoned for the current use of the Property.

(7) There are no public improvements affecting the Property prior to the date of closing that would give rise to a special property tax or assessment against the Property after the date of closing.

The undersigned understands that (a) Regions Bank, an Alabama banking corporation ("<u>Regions</u>"), its successors and/or assigns, will rely upon the truth of the statements made in this Affidavit in connection with its acquisition of the Seller's fee simple interest in the Property; and (b) the Title Company will rely upon the truth of the statements made in this Affidavit in connection with the issuance of one or more title policies insuring title to this Property. The undersigned knows the matters herein stated are true and furthermore agrees to indemnify Regions and the Title Company against loss, costs, damages and expenses of every kind incurred by any of them, by reason of their reliance on the statements made herein.

.....

2

## [EXECUTION PAGE OF SELLER AFFIDAVIT]

IN WITNESS WHEREOF, Norma Jean Morrow (a/k/a Norma Jean Poteete Morrow), as the Seller, has executed this instrument as of the **g** day of May, 2013.

## **SELLER:**

NORMA JEAN MORROW (a/k/a Norma Jean

Poteete Morrow), an unmarried woman and an individual resident of the State of Arkansas

STATE OF ARKANSAS

PULASKI COUNTY

On this day before the undersigned, a Notary Public, duly qualified and acting in and for the county and state aforesaid, personally appeared Norma Jean Morrow (a/k/a Norma Jean Poteete Morrow), an unmarried woman and an individual resident of the State of Arkansas, to me well known to be the person whose name appears as Seller in the foregoing instrument, and stated that she executed the same for the consideration, uses and purposes therein stated in her individual capacity.

)

)

My Commission Expires:

6-30-2022

[SEAL]

Notary Public

THOMAS & TARPLEY PULASKI COUNTY NOTARY PUBLIC - ARKANSAS My Commission Expires June 30, 2022 Commission No. 12368771

28452249-1

## [EXECUTION PAGE OF SELLER AFFIDAVIT]

IN WITNESS WHEREOF, Norma Jean Morrow (a/k/a Norma Jean Poteete Morrow), as the Seller, has executed this instrument as of the 2 day of May, 2013.

### **SELLER:**

NORMA JEAN MORROW (a/k/a Norma Jean

Poteete Morrow), an unmarried woman and an individual resident of the State of Arkansas

#### STATE OF ARKANSAS

# PLASKI COUNTY

On this day before the undersigned, a Notary Public, duly qualified and acting in and for the county and state aforesaid, personally appeared Norma Jean Morrow (a/k/a Norma Jean Poteete Morrow), an unmarried woman and an individual resident of the State of Arkansas, to me well known to be the person whose name appears as Seller in the foregoing instrument, and stated that she executed the same for the consideration, uses and purposes therein stated in her individual capacity.

)

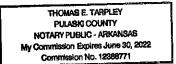
)

My Commission Expires:

6-30-2022

[SEAL]

Notary Public



## Exhibit A

# [Legal Description of Property]

A part of Lots one (1) and two (2), Block forty-nine (49), City of England, Lonoke County, Arkansas, more particularly described as beginning at the Northwest corner of said Lot one (1); Thence North 65 degrees East along the North line of said Lot one (1) 35 feet; Thence South 25 degrees East 50 feet to the South line of Lot two (2); Thence South 65 degrees West along the South line of Lot two (2) 35 feet to the Southwest corner of said Lot two (2); Thence North 25 degrees West along the West line of said Lots one (1) and two (2), 50 feet to the point of beginning. Subject to a easement across the South 3 feet of said Lot two (2), as shown in Deed Book 136, Page 328.

<u>Exhibit B</u>

# [Title Commitment]

# [See Attached]

a hata di sa

a base of

5