



COMMONWEALTH LAND TITLE INSURANCE COMPANY

100 Corporate Ridge, Suite 120, Birmingham, AL 35242 PHONE (205) 980-7485, FAX (205) 980-7490

OWNER'S/CONTRACTOR'S AFFIDAVIT OF NON-COMMENCEMENT OF CONSTRUCTION

STATE OF _____

COUNTY OF _____

On this _____ day of _____, 20____, before me personally appeared, Owner/Contractor, to me personally known, who, being duly sworn on oath, did say that he proposes to construct a building or other improvements on the property hereinafter described; that _____ has made a loan to finance such construction which is secured by a mortgage or deed of trust filed for record in Mortgage Book _____, Page _____ of the official recording office of the County of _____, State of _____; That as of the date hereof, no materials or equipment were situated on the said premises and there was no material or equipment nor anything whatsoever thereon to evidence the intent to commence construction.

That this affidavit is made for the purpose of inducing the making of a loan on said property and COMMONWEALTH LAND TITLE INSURANCE COMPANY to issue its policy or policies insuring the title to said property without exception to claims of mechanics, materialmen and laborers, and said affiant does hereby agree to indemnify and hold COMMONWEALTH LAND TITLE INSURANCE COMPANY harmless of and from any and all loss, cost, damage and expense of every kind, including Attorney's fees, which said COMMONWEALTH LAND TITLE INSURANCE COMPANY shall or may suffer or incur or become liable for under its said policy or policies directly or indirectly, out of such improvements, repairs or other construction on the property hereafter described or on account of any such mechanics' or materialmen's lien or liens or claim or claims, or in connection with its enforcement of its rights under this Agreement.

The real estate referred to herein is situated in the County of _____, State of _____, and is briefly described as:

See Exhibit "A" attached hereto for complete description of property.

Executed, subscribed, and sworn to before me the day and year above written.

Notary Public: _____

My Commission Expires: _____