

LAW OFFICES

MORRIS & LAVETTE

A PROFESSIONAL CORPORATION

DEWAYNE N. MORRIS
JOHN R. (JACK) LAVETTE

2131 THIRD AVENUE NORTH
P.O. BOX 11412
BIRMINGHAM, ALABAMA 35202-1412

TELEPHONE (205) 254-3885
FAX (205) 716-3108
e-mail: mandlpc@bellsouth.net

December 10, 2003

Ms. Elizabeth Ann Brown
Deputy State Historic
Preservation officer
Alabama Historical Commission
468 South Perry Street
Montgomery, AL 36130-0900

Re: AHC 04-0177, Construct and Operate Branch Bank
Jefferson County, Alabama
2915 Clairmont Avenue, Birmingham, AL 35205

Dear Ms. Brown:

The property in question is still owned by Jo T. Morris and Dewayne N. Morris. All actions we have taken have been our own individual actions and decisions as the owners of the property, and, contrary to your statements, we have never acted as a Federal agency or the agent or delegate of any Federal agency. Although the property may or may not have been eligible for the National Register of Historic Places, during our 31 years of ownership no one has ever suggested it to us, and we decided to demolish the buildings prior to EvaBank informing you of their desire to construct an EvaBank branch on it. We have never had any desire or intention to place the property on any historic register, and we do not intend or desire to do so, now or in the future.

The application initially completed, faxed and mailed to you by EvaBank clearly stated on it that the houses were under contract for demolition. My wife and I contracted to demolish the houses as the owners and in our individual capacities. We did not act in any capacity for EvaBank, much less for any Federal agency. There is not even a written contract to sell the property to EvaBank. If it is approved for an EvaBank branch, it will be offered to EvaBank for a price yet to be determined.