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THIS INSTRUMENT WAS PREPARED BY:  
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Attorney at Law  
108 Chandalar Drive  
Pelham, Alabama 35124

STATE OF ALABAMA )  
COUNTY OF SHELBY )

AFFIDAVIT

BEFORE me the undersigned Notary Public, personally appeared Henry Smith, who being first duly sworn and deposed saith as follows:

My name is Henry Smith and I am over seventy years of age and have lived in Helena, Shelby County, Alabama my entire life. I am under no legal disability and I am giving this affidavit of my own free will. I knew Mr. George McClellan, who died in September 1942. I was his neighbor and I was familiar with his family. I have known his heirs since 1942.

At the time of his death, George McClellan left a widow, Hattie McDonald McClellan, who died on January 7, 1954. Hattie McDonald McClellan and George McClellan had three children of their bodies, Ada McClellan, Amos McClellan and Annie McClellan and neither had any children outside the marriage.

Ada McClellan died in 1924. At the time of her death, she was unmarried and had four heirs at law - Gladys, Deborah, Robert and George. Gladys is still alive and her present name is Gladys Gilleylen. Deborah McClellan died December 25, 1925, divorced with no children. Robert (Smith), the son of Ada McClellan, died June 6, 1972, with no wife and two children - Joel Smith and Wade Smith. George (E. Moore), the son of Ada McClellan, died on August 20, 1979, leaving as his legal heirs at law his wife, Classie Moore and one son, Bobbie George Moore.

Amos McClellan died in 1920 having no wife and no children at the time of his death.

Annie McClellan died on May 11, 1964 leaving as her legal heirs at law no husband and no children.

The intent and purpose of this Affidavit is to show the heirs at law of George McClellan for the following described property which was conveyed to George McClellan as set out in Deed Book 59 page 65 in the Probate Office of Shelby County, Alabama, to wit:

Lot No. 3 in Block 20 in the East half of the NW 1/4 of Section 15, Township 20 South, Range 3 West of Huntsville Meridian and contains about 2-1/2 acres.  
Said lot is bound on the North by the Dock Ellison Lot on the East by the Charrity Brown Lot and the Jack Cross Lot on the South by the Allen McClellan Lot and on the West by the Bill Lee Lot.

E. & H. Winters  
1675 Turning Tree Ln

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I also knew Charlie Anderson and his wife, Rachel Anderson, during their entire life in Helena, Shelby County, Alabama. Charlie Anderson died on or about July 30, 1986. The property made the subject of this portion of the Affidavit was acquired by Charlie Anderson and Rachel Anderson with survivorship as recorded in Deed Book 270 page 215 in the Probate Office of Shelby County, Alabama. Rachel Anderson died on or about March 1, 1988 leaving as her sole heir at law one daughter, Classie Anderson Moore. Rachel Anderson never had any other heirs of her body. The real property made the subject of this portion of the Affidavit is more particularly described as follows, to wit:

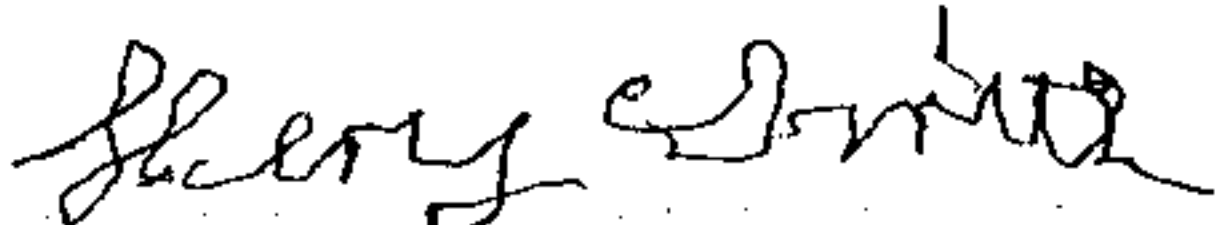
A certain lot located in a Southeast Quarter of the Northwest Quarter of Section 15, Township 20 South, Range 3 West. The said lot being the South Half of that lot described in Deed Book 155, at page 156 as recorded in the Probate Office of Shelby County, being more particular described as follows:

Begin at an iron stake at the North West corner of collared masonic lodge lot, thence North 50 feet to an alley, thence East along said alley 50 feet; thence South 50 feet; thence West 50 feet to the point of beginning. Said lot being located on the East side of the Helena Road and on the North side of the Masonic Lodge lot.

I also knew George E. Moore, who lived in Helena, Shelby County, Alabama most of his life, having moved to Praco, Alabama in the early 1950's. George E. Moore died on or about August 20, 1979 and leaving as his legal heirs at law his widow, Classie Clovin Moore a/k/a Classie Moore and one son, Bobbie George Moore. George E. Moore never had any other children of his body. The purpose of this portion of the Affidavit is to set out the heirs at law for that property set out in Book 210 page (illegible) in the Probate Office of Shelby County, Alabama and more particularly described as follows, to wit:

Starting at the SW corner of the Lot #3 in Block 20 in the E1/2 of NW1/4 of Section 15, Township 20 South, Range 3 West of Huntsville Meridian for point of beginning, thence in a Northerly direction a distance of 60 feet, thence in a Easterly direction a distance of 60 feet, thence in a Southerly direction a distance of 60 feet, thence in a Westerly direction along ACL Railroad right of way a distance of 60 feet to point of beginning.

Done this 6th day of September, 1988.

  
Henry Smith

Sworn to and subscribed  
before me this 6th day  
of September, 1988.

  
Notary Public

MY COMMISSION EXPIRES MAY 13, 1992

Index in the name of:  
George McClellan  
Charlie Anderson  
Rachel Anderson  
George E. Moore  
Classie Moore

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STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

88 SEP -8 AM 9:16

*Thomas A. Shorten, Jr.*  
JUDGE OF PROBATE

|               |              |
|---------------|--------------|
| Recording Fee | \$ 7.50      |
| Index Fee     | 4.00         |
| TOTAL         | <u>11.50</u> |