

AFFIDAVIT

My name is Mamie Tubbs. I am over the age of 21 and am in no way disabled to make this affidavit. The matters set forth herein are, to the best of my knowledge, true and correct:

1. Robert Mayweather was the father of the following children:

- a. Robert Mayweather, Jr.;
- b. Mamie Tubbs;
- c. Ruby M. Owens;
- d. Mack Arthur Mayweather;
- e. Winnie M. Givan;
- f. William Mayweather;
- g. Truman Mayweather; and
- h. Rufus Mayweather.

2. The only surviving children of Robert Mayweather are Mamie Tubbs and Mack Arthur Mayweather.

3. Robert Mayweather, Jr. is deceased. He had no children of his own. Blanche M. Rucker, his stepdaughter, was never legally adopted.

4. Ruby M. Owens is deceased. She had four children: John W. Owens, Jr., Carl Owens, Linda Owens, and Patricia Hendricks, all of whom are alive, except Patricia Hendricks. Patricia Hendricks had one child, Charles W. Hendricks, Jr., who is alive.

5. Winnie M. Givan is deceased. She had one child, Homer G. Givan, who is alive.

6. William Mayweather is deceased. He had four children: Margaret E. Mayweather, Tennie Mayweather, William T. Mayweather, Jr. and Barbara Jean Belisle, all of whom are alive.

7. Truman Mayweather is deceased. He had no children.

8. Rufus Mayweather is deceased. He had no children.

9. The following are owners of the property described in Exhibit "A" attached hereto and incorporated herein by reference (the "Property"):

- a. John W. Owens, Jr.;
- b. Carl Owens;
- c. Linda Owens;
- d. Charles W. Hendricks;
- e. Mack Arthur Mayweather;
- f. Mamie Tubbs;
- g. Margaret E. Mayweather;

10/27/1992-24707
10:09 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
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- h. Tennie M. Mayweather;
- i. William T. Mayweather, Jr.;
- j. Barbara Jean Belisle; and
- k. Homer Givan.

10. To my knowledge, no one is in possession of the Property other than the individuals named above. To my knowledge no one is claiming an interest in the Property through adverse possession.

Further affiant sayeth not.

DONE this the 13 day of Oct, 1992.

Mamie Tubbs

Sworn to and subscribed before me on this the 13th day of October, 1992.

Patti J. Clarke
Notary Public
My Commission Expires: _____

PATTI J. CLARKE
NOTARY PUBLIC, STATE OF OHIO
MY COMMISSION EXPIRES JAN. 21, 1997

EXHIBIT "A"

Commence at the Northeast corner of Section 20, Township 22 South, Range 3 West, being the Point of beginning; from said point run west along the north line of said section for a distance of 420.78 feet to a 1/2" rebar pin found; Thence left 0 degrees 03 minutes 11 seconds a distance of 417.21 feet to a 1/2" crimp iron pin on the east bank of King Creek; thence turn left 56 degrees 05 minutes 00 seconds and run along the east bank of King Creek a distance of 271.87 feet more or less to a fence line; thence turn left 106 degrees 05 minutes 52 seconds and run along fence line a distance of 1432.39 feet to a 1 1/2" open pipe; thence turn left 112 degrees 32 minutes 22 seconds a distance of 80.00 feet to a point; thence turn right 113 degrees 45 minutes 00 seconds a distance of 539.74 feet to an iron pin found; thence turn left 19 degrees 04 minutes 45 seconds a distance of 60.42 feet to a 1 1/2" open pipe; thence turn left 57 degrees 59 minutes 52 seconds more or less a distance of 760.00 feet more or less to a point; thence turn right 57 degrees 26 minutes 23 seconds more or less a distance of 800.00 feet more or less to a point on the west right of way of Shelby County Highway # 15; thence turn left 119 degrees 52 minutes 08 seconds more or less and run northwest along said R.O.W. a distance of 120.00 feet more or less to a point on the north line of Section 21, Township 22 South, Range 3 West; thence turn left 59 degrees 26 minutes 27 seconds more or less down an old fence line a distance 767.58 feet more or less to a 1 1/2" open pipe; thence continue along last said course a distance of 1311.79 feet to the point of beginning. LESS AND EXCEPT 3.209 acres shown on survey as "Area of Contention".

According to the survey of Ben F. Carr, Jr. Al. Reg. #8434, dated December 6, 1990.

Inst # 1992-24707

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