

STATE OF ALABAMA )  
COUNTY OF SHELBY )

AFFIDAVIT

COME NOW **Billy L. Goff and wife, Mary G. Goff, and Kevin L. Howze**, as Affiants herein, and after first having been duly sworn, said Affiants do depose and say as follows:

1. That the Affiants have personal knowledge of the facts stated herein, and said Affiants are all over the age of nineteen (19) years, and competent to execute this Affidavit. That Billy L. Goff is one and same person as Billy Goff, and, at times in the past, has used both names, interchangeably; and Kevin L. Howze is one and the same person as Kevin Lynn Howze, and at times in the past, has used both names, interchangeably.
2. That on or about January 14, 1994, Affiants herein conveyed certain property to Kevin L. Howze, also known as Kevin Lynn Howze, and subsequently executed corrective deeds in favor of said Kevin L. Howze, and now, in conjunction with the execution of this Affidavit, said Affiants, also as Grantors, execute a final corrective deed which is intended to correct the legal descriptions, as well as any and all other defects contained within the prior deeds, in reference to real estate hereinafter described, as follows:

A portion of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of Section 9, T24N, R13E, Shelby County, Alabama and being more particularly described as follows:  
Commence at the NW Corner of said quarter, quarter and run Easterly along the North side of said quarter, quarter for a distance of 429.0 Ft; Thence turn an angle to the right  $90^{\circ}03'$  and run in a southerly direction for a distance of 1336.83 Ft. to the Northerly R.O.W. of Shelby County Road 201; Thence turn an angle to the left  $90^{\circ}03'$  and run in an easterly direction for a distance of 225.0 Ft. to the Point of Beginning; Thence N  $00^{\circ}05'24''$  W, 210.28 Ft; Thence S  $89^{\circ}56'08''$  E, 282.29 Ft.; Thence S  $00^{\circ}24'33''$  W, 187.25 Ft. to the Northerly R.O.W. of Shelby County Road 201; Thence along said R.O.W., S  $85^{\circ}22'23''$  W, 281.54 Ft. to the Point of Beginning.

According to the survey of Michael G. Moates, RLS#19262, dated December 20, 1995.

3. The history of prior deeds, as hereinabove designated, and intent of this Affidavit, in conjunction with the corrective deed executed on even date herewith, in favor of Kevin L. Howze is for the following purpose:  
This Affidavit and corrective deed attached hereto are intended to correct defects in the original deed regarding the real estate hereinabove described as conveyed from Billy L. Goff and Mary G. Goff, as Grantors, to Kevin L. Howze, as Grantee, as well as correcting subsequent corrective deeds. The original Deed was recorded at Instrument #1994-01614, in the Office of the Probate Judge, Shelby County, Alabama, and lacks a complete legal description; the first Corrective Deed was recorded at Instrument #1995-

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36728, in said Probate Office, in said Probate Office, and was not dated, witnessed or notarized; and the Corrective Deed recorded at Instrument #1996-01177 in said Probate Office was not properly notarized. Therefore, this Corrective Deed is intended to correct and cure each of said defects.

4. The Affiants Billy L. Goff and Mary G. Goff are the immediate predecessors in title of Kevin L. Howze, and for a period of ten (10) years immediately preceding the execution of this Affidavit, have exclusively, openly, notoriously and continuously possessed the above-designated property, up until the time of conveyance unto said Kevin L. Howze, on or about January 14, 1994, at which point in time, said Kevin L. Howze began to exclusively, openly, notoriously and continuously possess and use the above-described property for his own usage and purposes.
5. Kevin L. Howze, as additional Affiant herein, does hereby depose and say that he has personal knowledge of the facts stated herein, and has at all times, since January 14, 1994, been in the actual exclusive, open, notorious and continuous possession of the above-designated real estate, to the exclusion of all others, and has no knowledge of any person or entity who claims any right, title or possession in and to said real estate herein described.
6. None of the above-designated Affiants have ever been in dispute with the property owners who own and/or maintain property immediately east of the easternmost property line hereinabove designated, same of which is demarked by a fenceline, and said fenceline, which has been in place, uninterrupted and unchanged for a period exceeding the past ten (10) years, does clearly and definitely mark the boundary line existing between Kevin L. Howze and the property owners immediately to the east of said property line.

Billy L. Goff  
Billy L. Goff, Affiant

Mary G. Goff  
Mary G. Goff, Affiant

Kevin L. Howze  
Kevin L. Howze, Affiant

STATE OF ALABAMA )  
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Sworn to and subscribed before me this the 9<sup>th</sup> day of February, 2000.

[Signature]  
Notary Public  
My commission expires: 9/13/2001

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