

THIS INSTRUMENT WAS PREPARED BY: MIKE T. ATCHISON, ATTORNEY AT LAW
P.O. BOX 822
COLUMBIANA, ALABAMA 35051

STATE OF ALABAMA
SHELBY COUNTY

AFFIDAVIT

Before me, the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared OLA MAE RUTLEDGE, who after being by me first duly sworn, deposes and says on oath as follows:

My name is OLA MAE RUTLEDGE, and I am over the age of 21 years, and am familiar with the following facts:

I was acquainted with John H. Smith from Montevallo, who owned the following described property, to-wit:

Lots 2 and 3, Block N, according to map entitled "South Montevallo", as recorded in Map Book 3, Page 41, in the Probate Office of Shelby County, Alabama.
Situated in Shelby County, Alabama.

I know that John H. Smith was in actual, open, notorious, and adverse possession of the above property, and actually lived on the above described property for many years. The property described is the same property described as "The house and lot on Selma Street, in Montevallo, Alabama, now occupied by him as a residence", as shown in Item 4, of the Last Will and Testament of Hampton D. Lee. I have never known of any one other than John H. Smith and his heirs at law being in possession of the property, nor do I know of any parties other than the heirs of John H. Smith making a claim to the property.

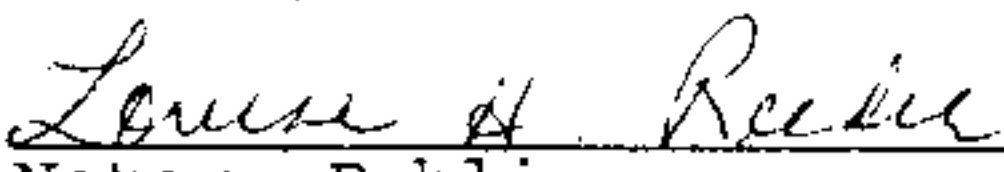
I also know that John H. Smith died intestate on or about the 28th day of December, 1974, leaving four children, namely: Richard G. Smith, Mamie S. Alexander, John Lee Smith, and Fannie M. Smith Nelson. There were no other children born to John H. Smith. Since the date of his death, one of his daughters, Fannie M. Smith Nelson, died intestate on or about the 25th day of April, 1994, leaving one daughter, Allyson Abrams. These four comprise all of the heirs at law and next of kin of John H. Smith, and all of them are over the age of 21 years and of sound mind.

This affidavit is given to establish the ownership and possession of the above described property, and to further establish the names, ages, and conditions of the heirs at law and next of kin of John H. Smith.

Further the affiant saith not.


OLA MAE RUTLEDGE

Sworn to and subscribed to before me
this 08 day of March, 2001.


Notary Public

MY COMMISSION EXPIRES DEC 19, 2001

Inst # 2001-23276

106/07/2001-23276
11:21 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MEL 11.00

MTA