

AFFIDAVIT AS TO HEIRS

State of Alabama)
County of Shelby)

On this 29th day of July, 2003 before me personally appeared Jimmie H. Vernon, to me personally known, who being by me duly sworn, on oath did say that Affiant is familiar with the family history of Linnie Mae Barker Vernon, deceased, who was the owner of the following property:

See attached Legal Description.

And that said decedent died on the 26th day of October, 2000, and that the place of residence and homestead, at the time of death, was as follows:

Shelby County, Alabama

And Affiant further states that said deceased left surviving the following persons, as heirs or otherwise interested in the estate,

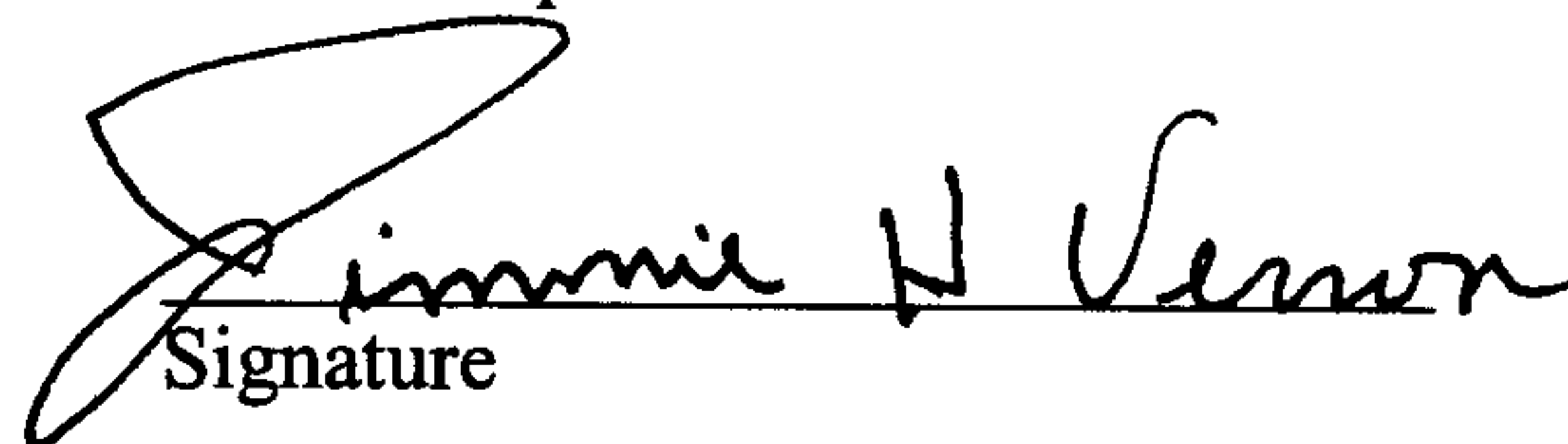
Widower: Jimmie H. Vernon, 69, competent.
Children: Arthur Thomas Vernon, 36, married, competent.
 Melissa Lynn Shiers (Vernon), 34, married, competent.
 Jimmy Dale Vernon, 44, married, competent.

And Affiant further states that said decedent left no other children or adopted children or descendants of deceased children or adopted children.

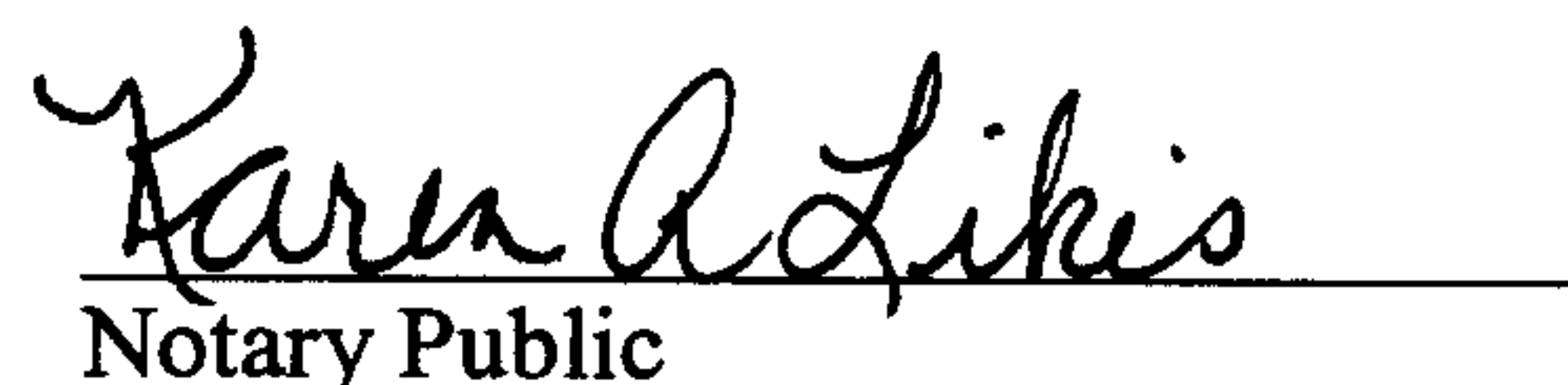
And that all of the above parties are over the age of nineteen years.

And said deceased left a will that has not been probated and will not be probated. See copy attached.

And that the debts against said estate have been paid.


Signature

Subscribed and sworn to before me the day and year above written.


Notary Public

My term expires: 5-28-07

Last Will and Testament

OF

LINNIE MAE BARKER VERNON

I, Linnie Mae Barker Vernon, social security number 424-74-0544, of Rt 2, BX 122, Montevallo, AL 35115, declare this to be my last will and testament, revoking all others heretofore made by me.

I

I decline to exercise any powers of appointment I may have. In the event any part of this will is found to be in violation of the Rule Against Perpetuities or other provision of law, said part shall not be stricken or nullified, but is hereby amended to conform to the minimum requirements of the law.

II

If after my death a signed list of some of my personal effects, bric-a-brac, heirlooms, and household items is found, indicating who should receive such sentimental items, I hereby direct my Executor, and any Successor Executors, to distribute such items in accordance with such list.

III

I give all the rest and residue of my property to my husband, provided he survives me by six months. If my husband does not so survive me, I give all my property to such of my children as survive me by six months, equally among said survivors, with no right of representation.

IV

I hereby nominate and appoint my husband to be the Executor of this Will. If for any reason my husband shall fail to qualify or serve as Executor, I nominate and appoint as Successor Executrix my daughter Melissa Lynn Vernon Naugher. My

LAST WILL AND TESTAMENT
OF LINNIE MAE BARKER VERNON

Executor, or any successors, shall possess full powers to implement this will, including the power to sell any property whose disposition is not otherwise directed herein, and shall be exempt from filing an inventory, or making any report or final settlement, or giving bond for any court, heir, or person. I direct that my estate be settled without the intervention of any court, except to the extent required by law.

I, Linnie Mae Barker Vernon, the testatrix, sign my name to this instrument consisting of this and one preceding and one succeeding pages this 11 May 1988, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my last will and that I sign it willingly (or willingly direct another to sign for me), that I execute it as my free and voluntary act for the purposes therein expressed, and that I am nineteen years of age or older, of sound mind, and under no constraint or undue influence.

Linnie Mae Barker Vernon
Linnie Mae Barker Vernon
Testatrix

We, Edna Faye Cecil, Charlotte K S Conwell, and Steven R Sears, the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the testatrix signs and executes this instrument as her last will and that she signs it willingly (or willingly directs another to sign for her), and that each of us, in the presence and hearing of the testatrix, hereby signs this will as witness to the testatrix's signing, and that to the best of our knowledge the testatrix is nineteen years of age or older, of sound mind, and under no constraint or undue influence.

Edna Faye Cecil, residing at 11 S Main
Edna Faye Cecil Montevallo, AL 35115

Charlotte K S Conwell, residing at 11 S Main
Charlotte K S Conwell Montevallo, AL 35115

Steven R Sears, residing at 11 S Main
Steven R Sears Montevallo, AL 35115

EXHIBIT A

Parcel 1

A part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 2, Township 24 North, Range 12 East, more particularly described as follows:

Beginning at the SW corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 2, Township 24 North, Range 12 East, Shelby County, Alabama, and run North 00 deg. 20 min. 45 sec. West along the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ section and along an existing barbed wire fence a distance of 944.38 feet to a set steel rebar corner at a fence corner; thence run North 85 deg. 12 min. 57 sec. East along an existing barbed wire fence a distance of 606.15 feet to a steel rebar corner at a fence corner; thence run South 02 deg. 04 min. 21 sec. East along an existing barbed wire fence a distance of 474.98 feet to a found 3 inch open top pipe corner at a fence corner; thence run South 82 deg. 15 min. 22 sec. West along an up and down barbed wire fence a distance of 283.59 feet to a found 3 inch open pipe corner; thence run South 01 deg. 58 min. 03 sec. West along an up and down barbed wire fence a distance of 488.31 feet to a set steel rebar corner on the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ section; thence run North 88 deg. 55 min. 11 sec. West along said South line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 317.80 feet to the point of beginning; situated in Shelby County, Alabama.

Parcel 2

A part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 24 North, Range 12 East, more particularly described as follows:

Commence at the NE corner of Section 11, Township 24 North, Range 12 East, Shelby County, Alabama, and run thence north 88 deg. 55 min. 11 sec. West along the North line of said section a distance of 684.17 feet to a steel rebar corner and the point of beginning of the property being described; thence continue last described course along an existing fence line a distance of 268.35 feet to a steel rebar corner; thence run South 03 deg. 11 min. 49 sec. East along the East line of White Oak Street a distance of 240.86 feet to a found steel corner; thence run North 78 deg. 51 min. 05 sec. East a distance of 107.79 feet a found steel corner; thence run South 84 deg. 33 min. 02 sec. East a distance of 160.25 feet to a found steel corner; thence run North 02 deg. 35 min. 34 sec. West a distance of 230.04 feet to the point of beginning; situated in Shelby County, Alabama.

A 60 foot right of way easement for ingress and egress being described as follows:

Commence at the NE corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 24 North, Range 2 East; thence run North 88 deg. 55 min. 11 sec. West along the North line of said $\frac{1}{4}$ - $\frac{1}{4}$ for 1017.79 feet to a found $\frac{1}{2}$ inch rebar; thence continue on the last described course for 30.00 feet to the point of beginning of a 60 foot right of way for ingress and egress lying 30 feet on either side of the following described centerline; thence run South 01 deg. 04 min. 49 sec. West for 163.72 feet; thence run South 83 deg. 42 min. 29 sec. East for 78.29 feet; thence run South 03 deg. 11 min. 49 sec. East for 242.11 feet; thence run South 02 deg. 55 min. 21 sec. West for 264.12 feet; thence run South 34 deg. 28 min. 53 sec. West for 55.04 feet to its intersection with the centerline of Shelby County Highway No. 155 and the end of said right of way being situated in Shelby County, Alabama.