AFFIDAVIT

STATE OF ALABAMA

SHELBY COUNTY,

Before me, Karl C. Harrison, the undersigned authority in and for saidCounty, in said State, personally appeared B. S. Wheeler, who after being by me first duly sworn to speak the truth, deposes and says:

My name is B. S. Wheeler. I am a Civil Engineer and Registered Land Surveyor #998. I surveyed the lot purchased by Frozen Food Services, Inc. from E lla Simmons and husband, S. M. Si mmons on July 29, 1946, as known by deed recorded in Deed Book 126, Page 3 in the Probate Office of Shelby, County, Alabama. Through some inadvertance said lot was described in said deed as follows:

Begin at the northeast corner of the SE¹/₄ of the NE¹/₄ of Section 26, Township

21, South, Range 1 West; thence south along the Section line 264 feet to a point where
the section line intersects the back (north) edge of the sidewalk on the north side of EAST

COLLEGE STREET, COLUMBIANA: from said point, run south, 61 degrees 30 minutes west, 269 feet to
a point; thence mun mouth, 86 degrees 30 minutes west, 224.15 feet to a point on the northwest
corner of the intersection of Main Street and West College Street; thence along West College Street
run south, 86 degrees 30 minutes west, 325 feet to a point; thence continuing along West College
Street, run north, 72 degrees west, 155.8 feet to the point of beginning; from said point of beginning
run north 15 degrees east, 256 feet to a point; from said point, run north 72 degrees west 110 feet
to a point; from thence run south, 15 degrees west, 256 feet to West College Street, Columbiana;
and from thence in an easterly direction along West College Street, run south 72 degrees east,
to the point of beginning; all of sid property lying in the SE²/₄ of the NE¹/₄ of Section 26, Township
21 South, Range 1 West, in Columbiana, Shelby County, Alabama, and containing .65 acres, more or less

The above described land being the easterly 110 foot portion of that conveyed to Joel Chandler by Mrs. M.E. Mason by warranty deed recorded in Deed Book 100, page 311 in the Office of Judge of Probate. Shelby County, Alabama. The above described property being also the easterly 110 foot portion of conveyed by Myra V. Chandler to Ella Simmons by warranty deed recorded in Deed Book 114 Page 150 in the Probate Office of Shelby County, Alabama.

I am familiar with the lot actually intended to be conveyed to the Frozen Food Services, Inc. and am familiar with the lot said Corporation took possession of and has been in possession of since the date of said purchase until it recently sold the same on August 20, 1949, to J.B. Greer, J. H. Camp, John L. McDonald and S.T. Camp, as shown by deed recorded in Deed Book 139 Page 167 in the Probate Office of Shelby County, Alabama. I know of my own knowledge that said lot in said deed to Frozen Food Services, Inc. should

have been described as follows:

Begin at the northeast corner of the SE_4^1 of NE_4^2 of Section 26, Township 21SSouth, Range 1 West, thencesouth along the section line 264 feet to a point where the section line intersects the back (north) edge of the sidewalk on the north side of East College Street in Columbiana, Alabama, from said point run south, 61 degrees 30 minutes west, 269 feet to a point; thence run south, 86 degrees and 30 minutes west, 224.15 feet to a point near the northwest corner of the intersection of Main Street and West College Street, said point being on the west line of Main Street and 3 feet south of the north line of West College Street; thence along West College Street run south, 86 degrees 30 minutes west, 325 feet to a point; thence continuing along West College Street run north, 72 degrees west, 155.8 feet to the point of beginning; thence run north, 15 degrees west, 155.8 feet te the point of beginnings thence run north, 15 degrees east, 256 feet to a fence; thence north, 76 degrees and 41 minutes west, and along said fence, 110 feet; thence south, 15 degrees west, 247 feet to the north line of West College Street; thence south, 72 degrees east, 110.36 feet to the point of beginning; being in the SE_4 of NE_4 of Section 26, Township 21, Range 1 West; containing 0.65 acres, more or less, and being situated in Columbiana, Ala. Shelby County.

The above described land being the easterly 110 foot pottion of that conveyed to Joel Chandler by Mrs. M.E. Mason by warranty deed recorded in Deed Book 100, page 311, in the Office of the Judge of Probate, Shelby County, Alabama.

The above described property being akso the easterly 110 foot portion of that conveyed by Myra V. Chandler to Ella Simmons by warranty deed recorded in Deed Book 114, Page 150 in the Office of the Judge of Probate, Shelby County, Alabama.

I knew S.M. Simmons and W. J. Horsley in their lifetime, both of whom are now dead, and I recall that S. M. Simmons made an affidavit regarding said in the Probate Office of Shelby County, Alabama, lot on July 6, 1946, which was recorded in Deed Book 124, page 371/ and W. J. Horsley made an affidavit on July 13, 1946 which is recorded in Deed Book 124, page 412 in said Probate Office. I also recall that the said S. M. Simmons and W. J. Horsley made a subsequent or curative affidavit regarding said lot on August 6, 1946, which affidavit is recorded in Deed Book 126, page 2 in said Probate Office. I know of my own knownedge that said persons had reference to and intedned to describe in said affidavits said lot exactly as I have described it in the description immediately above in this affidavit, being the same description as that used in the sale of said lot from Frozen Food Services, Inc. to J.B. Greer, J.H. Camp, John L. McDonald and S. T. Camp, as 139 page 167
shown by Deed recorded in Deed Book 126, Page 2 in said Probate Office. I know of my own knowledge that said persons had reference to and intended to describe in said affidavits said lot exactly as I have described it in the description immediately above in this affidavit, being the same description as that used in the sale of said lot from Frozenn Food Services, Inc. to J.B. Greer, J.H. Camp, Wohn L. Mc Jonald and S.T. Camp, as shown by Deed recorded in Deed Book 139, page 167 in said Probate Office.

B. S. Wheeler,

STATE OF ALABAMA

SHELBY COUNTY,

Sworn to and subscribed to by B. S. Wheeler before menthis the 25 day of August, 1949. Markinge Tax

STATE OF ALABAMA SHIELBY COUNTY Il hereby centify that

thas been paid on the within im irradiuminamit as nequined

Nothry Public for State Wf Ala. at Large MIKE THOUSE OF PROBATE

Filed in the office of the Judge of Probate on the Blst day of Aug. 1949, at 11 A.M. and recorded in deed record 139, page 185, on this the 1st day of Sept. 1949.

L.C. Walker,

Judge of Probate.

Karl C. Harrison,