

Donald L. Newsom
of CORRETTI, NEWSOM, ROGERS & MAY, Attys.
529 Frank Nelson Building
BIRMINGHAM, ALABAMA 35203

5141
AFFIDAVIT

STATE OF ALABAMA)
JEFFERSON COUNTY)

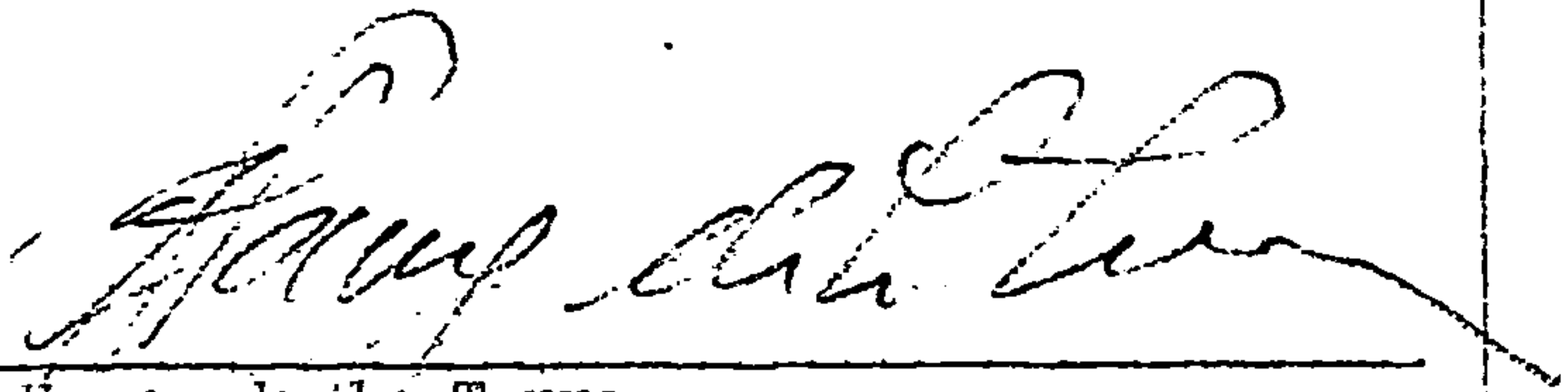
Before me, the undersigned authority, a Notary Public in and for said State and County, personally appeared Harry de la Torre, who being by me first duly sworn, deposes and says on oath as follows:

Your affiant has been personally familiar with the following described real property and its' ownership since 1951, to-wit:

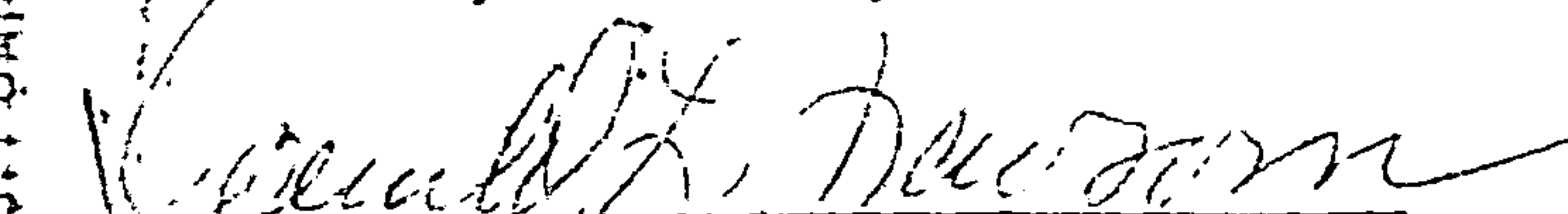
From the NE corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 23, Township 19 South, Range 2 West, and run West along the North boundary line of the said SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 23, 561.74 feet to the point of beginning of the lot herein described; thence turn an angle of 135 deg. 15 min. to the left and run Southeasterly 738.02 feet, more or less, to a point on the North right of way line of the Cahaba Valley Road; thence turn an angle of 91 deg. 28 min. to the right and run Southwesterly along the North R.O.W. line of said road 388.07 feet; thence turn an angle of 99 deg. 40 min. to the right and run Northwesterly 1629.93 feet to a point in the Center of Valley Creek; thence turn an angle of 69 deg. 34 min. to the right and run Northeasterly up and along the center line of Valley Creek 73.9 feet; thence turn an angle of 99 deg. 18 min. to the right and run Southeasterly 883.02 feet, more or less, to the point of beginning; containing 8.519 acres, and being designated as Parcel 4 on a plat showing the division of a part of the Allan Estate made by Alton Young in June, 1960, the same being recorded in the Probate Office of Shelby County, Alabama.

The hereinabove described real property was formerly owned by James M. Allan who died in the early 1950's and the title passed at his death to his widow, Mrs. Jessie Allan. Mrs. Jessie Allan died in 1957 and the heirs of Mrs. Jessie Allan, namely, Kathleen A. Turner, Julia A. Finch, Barbara Allan Bristow and Jim Coston Allan conveyed their interest in said real property to their sister, Helen Allan Armstrong, by deed dated August 19, 1961, and recorded in Deed Book 217, page 338, in the Probate Office of Shelby County, Alabama.

Your affiant knows of his own knowledge that Helen Allan Armstrong and her predecessors in title, namely, her parents, James M. Allan and wife, Jessie Allan, have been in open, notorious and peaceful ownership of the hereinabove described real property for over 20 years and that there has been no disputes concerning the occupation, use or possession of the hereinabove described real property for over 20 years.


Harry de la Torre

Sworn and subscribed to before me
this 27th day of January, 1977.


Notary Public

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Shelby Cnty Judge of Probate, AL
01/28/1977 12:00:00 AM FILED/CERT

My Commission Expires February 15, 1977