

STATE OF ALABAMA)
COUNTY OF SHELBY)

3410

This instrument was prepared by:

DANIEL M. SPITLER

ATTORNEY AT LAW

Spitler Building - Suite 100

1970 Chandalar South Office Pk.

PELHAM, ALABAMA 35124

A F F I D A V I T

Before me, the undersigned, a Notary Public in and for said County in said State, personally appeared Wilson Carter, Jessie Winslett and Ruth Gaddy, who being first duly sworn, depose and say as follows:

The purpose of this affidavit is to induce Jefferson Land Title Services Co., Inc. to issue a title insurance policy evidenced by their Binder No. J-29773. The affiants state that they are residents of Wilton, Alabama, and are familiar with the property made the subject of this affidavit, as set out hereinbelow, because said affiants live in the immediate vicinity of said property and have for more than twenty years prior to this time. Your affiants further state that they know the owners of said property and have observed said property for more than twenty years prior to this date. Your affiants further state that twenty years ago and immediately prior to that time, the property was owned and occupied by Thomas Huey Bearden and his wife, Ella Maude Gardner Bearden. Thomas Huey Bearden occupied the property with his wife until he died in August, 1955, when his widow, Ella Maude Gardner Bearden, continued to occupy the property until immediately prior to her death on June 7, 1969. At the time of the death of Thomas Huey Bearden, his legal heirs were a son named Norman Gene Bearden, a son named James Robert Bearden, and a daughter named Barbara Ann Bearden, who later married a man named Coran, and his widow, Ella Maude Gardner Bearden. When Ella Maude Gardner Bearden died, her only legal heir was James Robert Bearden. The said James Robert Bearden was made the Executor of her Estate, and as Executor, has continued to pay the taxes and look after the property made the subject of this affidavit, including renting same to various tenants during part of the time since her death.

Your affiants would further state that they have observed said property on numerous occasions every month and that no one, except James Robert Bearden, or his tenants, have occupied or claimed said property as their own since the death of Ella Maude Gardner Bearden.

The property made the subject of this affidavit is located in Shelby County, Alabama, and more particularly described as follows, to-wit:

PARCEL I: Part of the SE-1/4 of the NE-1/4 of Section 8, Township 24 North, Range 12 East, situated in Shelby County, Alabama, and being more particularly described as follows: Commence at the NW corner of said 1/4-1/4 Section, thence run South along the West line thereof for a distance of 169.1 feet; thence East 687.5 feet, thence South 00° 30' East for 380.6 feet to the NW corner of Lot 5, according to the Map of Wilton, as recorded in Deed Book 14, Page 239, in the Probate Office of said County, thence North 89° 30' East for 160 feet; thence South 00° 30' East for 75 feet, thence South 89° 30' West for 160 feet, thence North 00° 30' West for 75 feet to the point of beginning.

PARCEL II: Begin at the SW corner of the above described tract, said point being the NW corner of Lot 6, of the Map of Wilton, as recorded in Deed Book 14, Page 239, in the Probate Office of said County, thence North 89° 30' East for 160 feet, thence South 00° 30' East for 75 feet, thence South 89° 30' West for 160 feet, thence North 00° 30' West for 75 feet to the point of beginning.

Subject to easements and restrictions of record.



19771019000111990 1/2 \$.00
Shelby Cnty Judge of Probate, AL
10/19/1977 12:00:00 AM FILED/CERT

BOOK 22 PAGE 173

Done this 13th day of October, 1977.



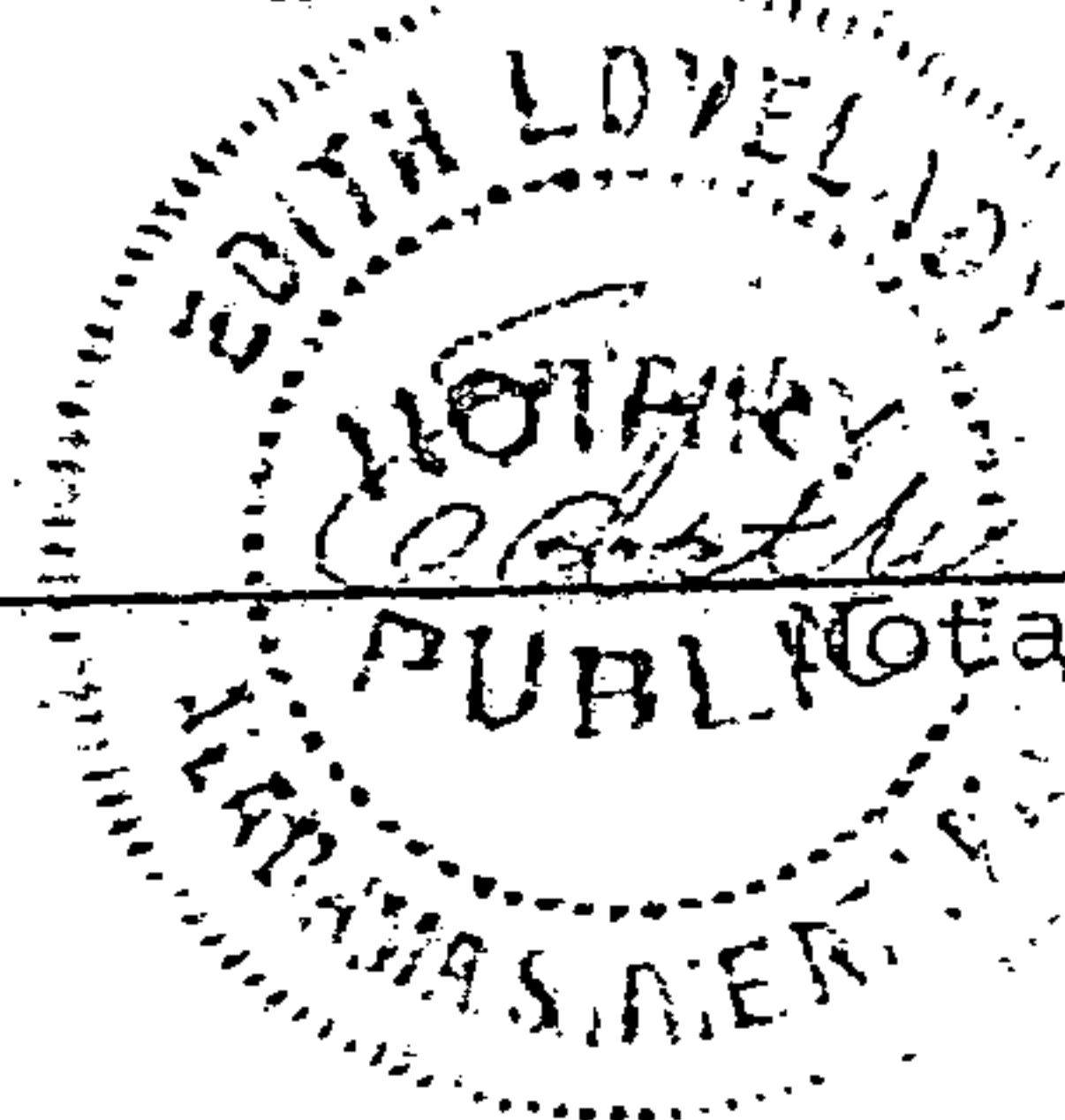
19771019000111990 2/2 \$.00
Shelby Cnty Judge of Probate, AL
10/19/1977 12:00:00 AM FILED/CERT

Wilson Carter
Wilson Carter

Jessie Winslett
Jessie Winslett

Ruth Gaddy
Ruth Gaddy

Sworn to and subscribed before me
this 13th day of October, 1977.



Edith Lovelady
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1977 OCT 19 AM 10:38

Thomas P. Henderson
JUDGE OF PROBATE

Rec. 350
Inv. 100
450

BOOK 22 PAGE 180