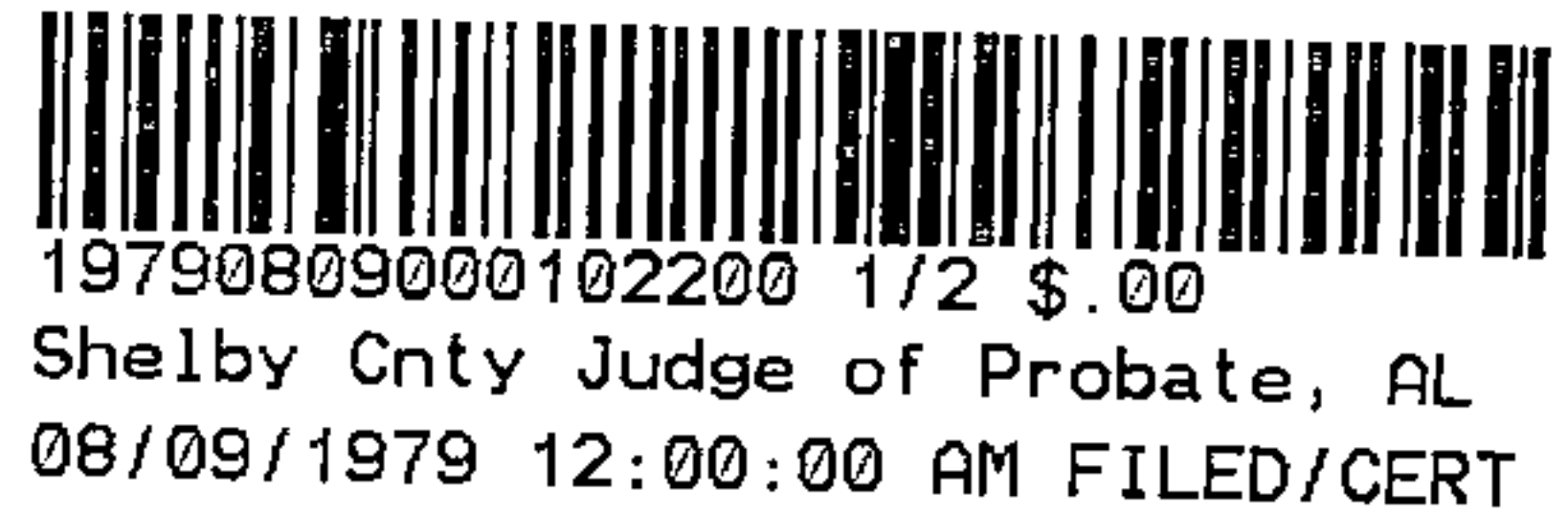


Shelby County)

State of Alabama)

AFFIDAVIT



Robert E. Berry and wife, Mary Sue Berry, who, being duly sworn, deposes and says that they are both citizens of the United States, that they are both over 21 years of age and that they reside at Route 4, Box 820, Alabaster, Alabama 35007.

Lot 8

That they acquired by warranty deed title in and to a certain parcel of land, located in the NW 1/4 of SW 1/4 of Section 36, Township 20 South, Range 2 West in Shelby County, Alabama, from L. T. Bounds, an unmarried man now deceased, which deed was dated the 8th day of October, 1970, filed for record on October 30, 1970, and recorded at Book 264, Page 607 in the Office of Probate, Shelby County, Alabama, and that they subsequently acquired by warranty deed an adjoining parcel of land in said 1/4 - 1/4 section from L. T. Bounds, which deed was dated the 27th day of June, 1972 and filed for record on July 3, 1972 and recorded at Book 275, Page 34 in the Office of Probate of Shelby County, Alabama, and that the two adjoining parcels of land described in the two aforesaid deeds were both conveyed by warranty deed by the undersigned Robert E. Berry to the undersigned Mary Sue Berry on the 3rd day of December, 1975, which deeds were filed for record on December 3, 1975 and recorded at Book 295, Page 759 and Book 295, Page 760, respectively, in the Office of Probate of Shelby County, Alabama, and that the two adjoining parcels of land therein described together comprise the parcel of land conveyed by the undersigned affiants to Harold B. Beason and Kathleen K. Beason on the 4th day of November, 1978 by warranty deed filed for record on November 7, 1978 and recorded at Book 316, Page 73 in the Office of Probate of Shelby County, Alabama.

That from the time of purchase of each of the two adjoining parcels of land in October, 1970, and June, 1972, respectively, the affiants have asserted and maintained openly and adverse to all others use and possession of the two parcels, having shortly after the purchase thereof removed a portion of the timber and cleared underbrush therefrom, sowed and maintained the land as a pasture for grazing stock, erected a fence around the boundary thereof and placed watering troughs on the premises, at various times maintained horses and cattle on said parcels, and frequently went upon the aforesaid parcels to tend to their stock, mow the pasture and otherwise maintain the premises for pasture purposes; and that said use and possession by affiants was maintained openly and continuously from the respective dates of purchase of the two parcels until conveyance thereof to Harold and Kathleen Beason on November 4, 1978.

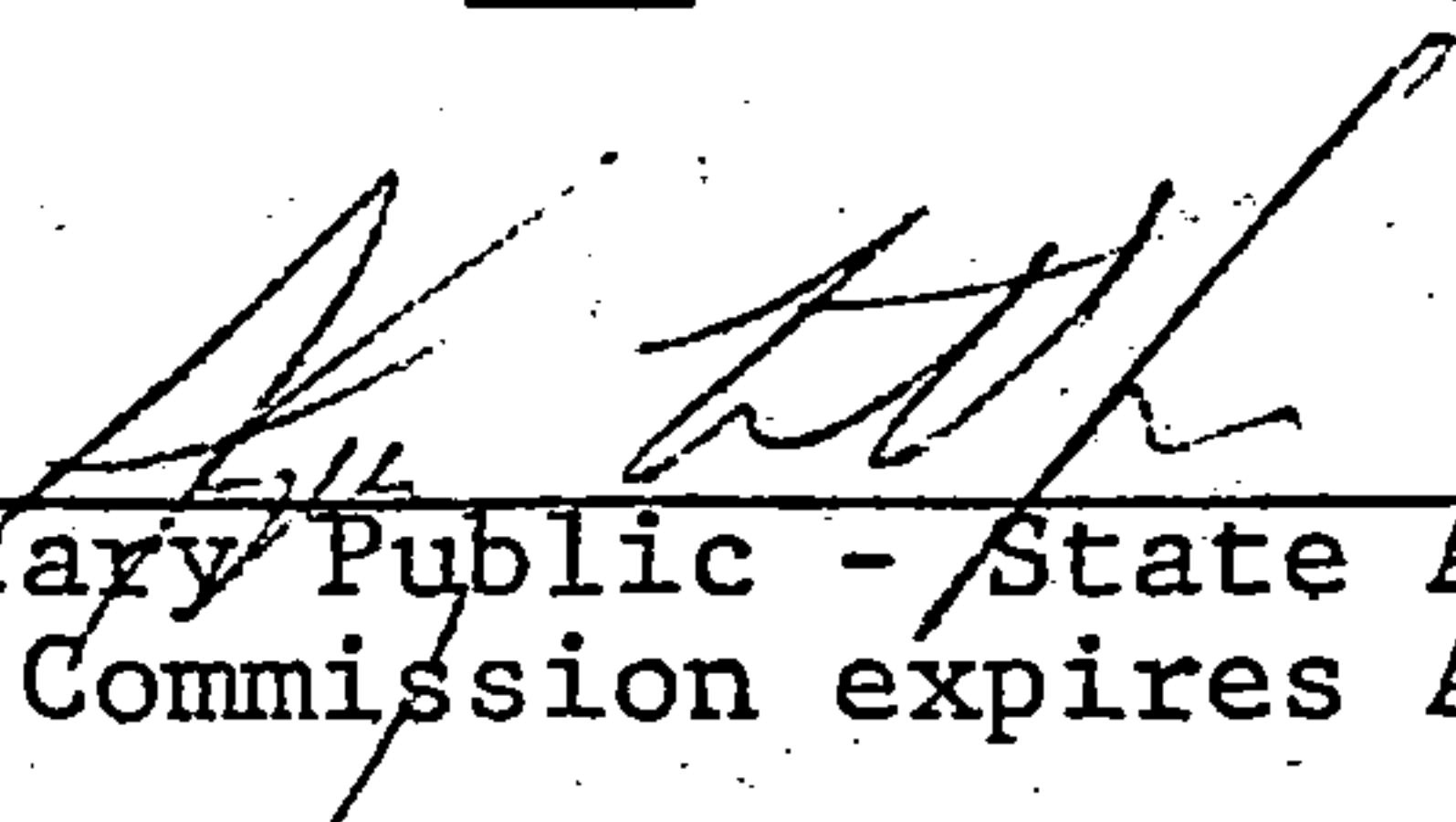
That the affiants had previously purchased from the said L. T. Bounds a third parcel of land adjoining the two parcels described above on July 27, 1969, on which parcel the affiants lived until the latter part of 1978, that the said L. T. Bounds owned at the time (1969) and for several years previously had owned the two parcels described above, that the said L. T. Bounds used and occupied these two parcels openly and notoriously until their conveyance to affiants, and that title to the aforesaid parcels of real estate has never been questioned, and that no other person was in possession of any part thereof under color of title or otherwise.

That, we have each read the foregoing affidavit and know of our own knowledge that the facts as stated therein are true.

Robert E. Berry
Mary Sue Berry

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Sworn to and subscribed before me this the 8th day of August, 1979.



Notary Public - State At Large
My Commission expires April 28, 1982



19790809000102200 2/2 \$.00
Shelby Cnty Judge of Probate, AL
08/09/1979 12:00:00 AM FILED/CERT

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

1979 AUG -9 PM 3:49


JUDGE OF PROBATE

Rec. 3.00
Ind. 1.00
4.00

Box 32 PAGE 68