

STATE OF ALABAMA

Shelby COUNTY

## AFFIDAVIT

This Affidavit is given by Robert L. Martin and William Todd Robins, Jerome A. Winston and wife, Jewel H. Winston (owners of Parcel C), and Bruce L. Gordon and Bari Gordon Isenberg (owners of Parcel D), who each being duly sworn deposes and says:

Our names are Robert L. Martin and William Todd Robins and we are the owners of certain real estate located adjacent to Parcels C and D referred to above.

Our names are Jerome A. Winston and Jewel H. Winston and we are the owners of real estate described in Exhibit I attached hereto and identified as Parcel C. We acquired title to said real estate by warranty deed from Lucille M. Duran by warranty deed dated May 23, 1969 and recorded in Real Volume 258, Page 211 and recorded in the Office of the Judge of Probate Of Shelby County, Alabama, on June 5, 1969.

Our names are Bruce L. Gordon and Bari Gordon Isenberg and we are the owners of the real estate described in Exhibit I attached hereto and identified as Parcel D. We acquired title to said real estate by warranty deed from Albert A. Rosenthal and wife, Ida B. Rosenthal, dated October 5, 1953, and recorded in Real Volume 5164, Page 338, in the Office of the Judge of Probate of Jefferson County on April 1, 1954. A corrective warranty deed dated April 29, 1971, was recorded in Book 267, Page 807, in the Office of the Judge of Probate, Shelby County, on May 20, 1971.

Cahaba Title

The legal description of all of the real estate conveyed by the various warranty deeds referred to hereinabove and set out in Exhibit I as Parcels C and D are in error. However, Jerome A. Winston and Jewel H. Winston and Bruce L. Gordon and Bari Gordon Isenberg represent that they own the real estate described in Exhibit I attached hereto as set out beside each name hereinbelow respectively.

Jerome A. Winston and Jewel H. Winston Parcel C

Bruce L. Gordon and Bari Gordon Isenberg Parcel D

and Robert L. Martin and William Todd Robins represent that neither make any claim to any right, title or interest in or to the real estate identified on Exhibit I as Parcel C and Parcel D, with the exception of the easement referred to therein.

None of the real estate described on Exhibit I is the homestead of any of the undersigned.

This Affidavit is being given as an inducement to Cahaba Title Company to issue a title insurance policy pursuant to Order #34576 to Richard B. Ryel and Patricia A. Ryel.

Done and Dated this 13<sup>th</sup> day of MARCH, 1985.

William Todd Robins  
William Todd Robins

Robert L. Martin  
Robert L. Martin

OWNERS OF PARCEL C

Jerome A. Winston  
Jerome A. Winston

Jewel H. Winston  
Jewel H. Winston

OWNERS OF PARCEL D

Bruce L. Gordon  
Bruce L. Gordon

Bari Gordon Isenberg  
Bari Gordon Isenberg

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State of Alabama:

Jefferson County:

I, the undersigned, Notary Public, in and for said County, in said State, hereby certify that Robert L. Martin, whose name is signed to the foregoing Affidavit, and who is known to me, acknowledged before me on this day that, being informed of the contents of said Affidavit, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 13th day of March, 1985.

Brenda J. Wade  
Notary Public

MY COMMISSION EXPIRES MAY 7, 1985

State of Alabama:

Jefferson County:

I, the undersigned, Notary Public, in and for said County, in said State, hereby certify that William Todd Robins, whose name is signed to the foregoing Affidavit, and who is known to me, acknowledged before me on this day that, being informed of the contents of said Affidavit, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 14th day of March, 1985.

Brenda J. Wade  
Notary Public

MY COMMISSION EXPIRES MAY 7, 1985

State of Alabama:

Jefferson County:

I, the undersigned, Notary Public, in and for said County, in said State, hereby certify that Jerome A. Winston and wife, Jewel H. Winston, whose names are signed to the foregoing Affidavit, and who are known to me, acknowledged before me on this day that, being informed of the contents of said Affidavit, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 14th day of March, 1985.

Jerome A. Winston  
Notary Public

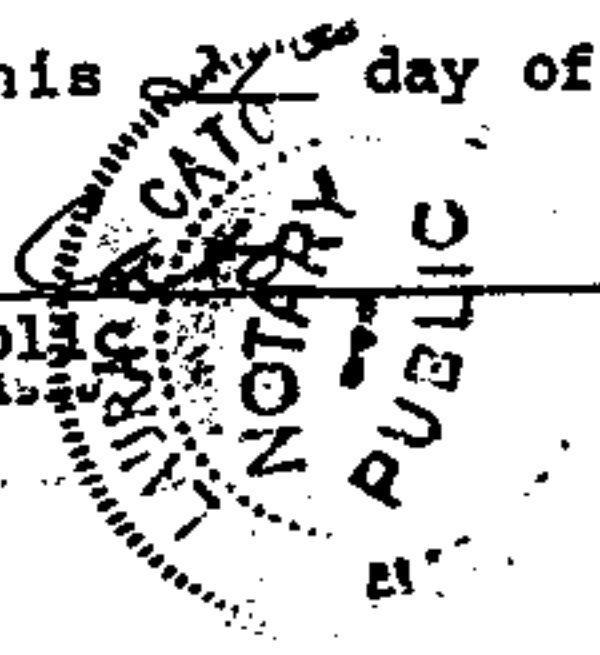
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State of Alabama:  
Jefferson County:

I, the undersigned, Notary Public, in and for said County, in said State, hereby certify that Bruce L. Gordon and Bari Gordon Isenberg, whose names ar signed to the foregoing Affidavit, and who ar known to me, acknowledged before me on this day that, being informed of the contents of said Affidavit, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 27 day of March, 1985.

Laura B. Gordon  
Notary Public  
My Commission Expires January 24, 1986  
6961 '87



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EXHIBIT I TO AFFIDAVIT  
DESCRIPTION OF REAL ESTATE

Rec'd 2.50  
Jud 5.00  
17.50

STATE OF ALABAMA  
SHELBY COUNTY  
MAR 28 AM 9 41  
RECEIVED

PARCEL C

Part of the SW 1/4 of the NE 1/4 of Section 3, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

From the NW corner of said 1/4-1/4 section run in an easterly direction along the north line of said 1/4-1/4 section for a distance of 410.31 feet; thence turn an angle to the right of 90 degrees and run in a southerly direction for a distance of 445 feet more or less to a point on the centerline of the Cahaba River being the point of beginning; thence turn an angle to the right of 180 degrees and run in a northerly direction for a distance of 445 feet more or less to a point on the north line of said 1/4-1/4 section; thence turn an angle to the right of 135 degrees and run in a southeasterly direction for a distance of 332 feet, more or less, to a point on the centerline of the Cahaba River; thence turn an angle to the right and run in a southwesterly direction along the meandering centerline of the Cahaba River for a distance of 316 feet, more or less, to the point of beginning.

PARCEL D

Part of the SW 1/4 of the NE 1/4 of Section 3, Township 19 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

From the NW corner of said 1/4-1/4 section run in an easterly direction along the north line of said 1/4-1/4 section for a distance of 410.31 feet; thence turn an angle to the right of 45 degrees and run in a southeasterly direction for a distance of 332 feet, more or less, to a point on the centerline of the Cahaba River being the point of beginning, thence turn an angle to the right of 180 degrees and run in a northwesterly direction for a distance of 332 feet, more or less, to a point on the north line of said 1/4-1/4 section; thence turn an angle to the right of 135 degrees and run in an easterly direction along the north line of said 1/4-1/4 section for a distance of 500 feet, more or less, to a point of intersection with the centerline of the Cahaba River, thence turn an angle to the right and run in a southwesterly direction along the meandering centerline of said Cahaba River for a distance of 352 feet, more or less, to the point of beginning.

PARCELS C AND D SUBJECT TO  
EASEMENT FOR INGRESS, EGRESS AND PUBLIC UTILITIES

Said easement being the bottom one-half of a circle, said bottom one-half of circle being concave in a northerly direction and having a radius of 20 feet and the north line of said one-half circle being the north line of the SW 1/4 of the NE 1/4 of Section 3, Township 19 South, Range 2 West, Shelby County, Alabama, said easement being more particularly described as follows: From the NW corner of said 1/4-1/4 section run in an easterly direction along the north line of said 1/4-1/4 section for a distance of 410.31 feet to the radius point of said easement, said easement extending 20 feet in all directions East, southeast, south, southwest, and west.

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