

STATE OF ALABAMA)
SHELBY COUNTY)

AFFIDAVIT

This Affidavit is given by TIMOTHY COLE DOWNING and STEVEN DANIEL DOWNING, who, first being duly sworn and deposed, saith as follows:

We are Timothy Cole Downing, 36 years of age, residing in Columbus, Indiana, and Steven Daniel Downing, 33 years of age and residing in Atlanta, Georgia. Our mother was Sylvia Downing, who died in Shelby County, Alabama, on May 1, 1984, left surviving her as her sole heirs at law two (2) sons, namely ourselves, Timothy Cole Downing and Steven Daniel Downing.

Our mother was divorced at the time of her death. Our mother never had any children except ourselves, and we are both legally competent and under no disability of any nature.

At the time of our mother's death, she owned property in Calera, Shelby County, Alabama, more particularly described as follows, to-wit:

Lots 9, 10, 11, 12, Block 88, according to J. H. Dunstan's Map of Calera, Alabama; being situated in Shelby County, Alabama.

Our mother's estate will not be probated and we have agreed that the entire proceeds from the sale of her real property will be held in escrow by Cahaba Title, Inc. and SAFCO Title Insurance Company until time for creditors against the estate has run. *The proceeds will be distributed on May 10, 1986* TD
CDD

Neither of us has ever lived in this house or on this property and this property does not constitute our homestead.

We are giving this Affidavit as an inducement for Cahaba Title, Inc. to insure title in the sale of this property to Harry J. Pike and wife, Colleen C. Pike, and a mortgage policy to Shelby State Bank under their binder number 35718.

Date: 5-15-85

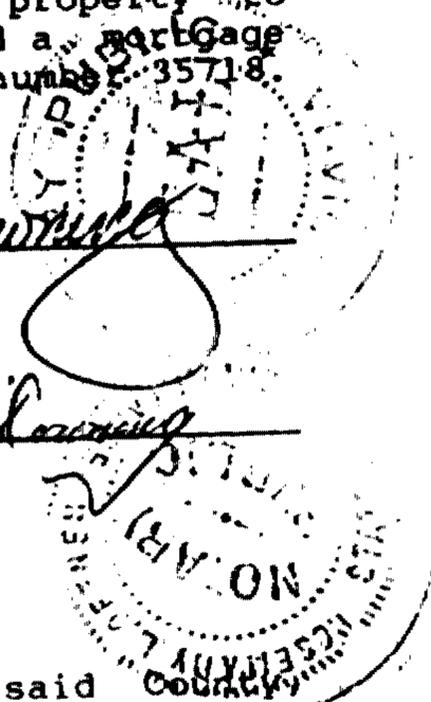
Timothy Cole Downing
Timothy Cole Downing

Date: 5-20-85

Steven Daniel Downing
Steven Daniel Downing

STATE OF INDIANA)
Marion COUNTY)

I, the undersigned, a Notary Public in and for said in said State, hereby certify that Timothy Cole Downing, 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 the Affidavit, he executed the same voluntarily on the day the same bears date.



030 INC-335

Given under my hand and official seal this 15th day of May, 1985.

My Commission Expires: 4-14-89

Carol N. Ingram
Notary Public Carol N. Ingram
Reside in Boone County, Ind.

STATE OF GEORGIA)
COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Steven Daniel Downing, 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 the Affidavit, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 20 day of May, 1985.

My Commission Expires: _____

Rosemary J. [Signature]
Notary Public

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

1985 JUN 13 AM 9:55

Thomas W. [Signature]
JUDGE OF PROBATE

Rec. 500.
Ind. 100
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