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AFFIDAVIT

My name is Charles Frey and I reside at 8513 Fourth Avenue, North, Birmingham, Alabama. My mother and father owned certain land in Shelby County, Alabama, before their death over 20 years ago. My mother was named Monica Elizabeth Frey and my father was named John Adam Frey. The land is described as follows:

W 1/2 of NE 1/4 less 10 acres in SW corner, Sec 19 Tp 19, R 2 E - 70 acres

N 1/2 of SW 1/4; N 1/2 of NE 1/4, Sec 26, Tp 17, R1E - 160 acres. Tract on N side, S 1/2 of SW 1/4, Sec 26, Tp 17, R1E - 20 acres. W 1/2 of SW 1/4 of NE 1/4; NW 1/4 of SE 1/4, Sec 26, Tp 17, R1E - 60 acres. Tract on S side, SE 1/4 of SE 1/4, Sec 23, Tp 17, R1E - 15 acres.

Monica and John Adam Frey had only three children, myself, Charles Frey. My brother, John A. Frey and my sister, Mary Frey. My brother, John A. Frey, died in Birmingham, Alabama, January 30, 1985. He did not leave a surviving spouse or any lineal descendants. I am the administrator of his estate. My sister, Mary Frey, died in Birmingham, Alabama, July 27, 1980, and she did not leave a surviving spouse or any lineal descendants. Neither my brother nor my sister ever had any children.

I am the sole surviving heir of my brother, John A. Frey and my sister, Mary Frey.

I, my brother and sister divided the property in 1959 and I thereafter sold my part, but my brother and sister still kept their part until they died. John A. Frey's part of the land is described as follows:

Joseph W. Adams, Attorney  
2025 Second Avenue, North  
Birmingham, AL 35203

(2)

PARCEL #B: The NW 1/4 of NE 1/4 of Section 26, Township 17, Range 1 East, consisting of 40 acres;

And also, The West One-Half of the NE 1/4 of the NE 1/4 of Section 26, Township 17, Range 1 East, consisting of 20 acres;

And also, the West One-Half of the SW 1/4 of the NE 1/4 of Section 26, Township 17, Range 1 East, consisting of 20 acres;

And also, the North 30 acres of the NW 1/4 of the SE 1/4 of Section 26, Township 17, Range 1 East, all situated in Shelby County, Alabama

Mary Frey's part of the land is described as follows:

PARCEL #C: The South 10 acres of the NW 1/4 of the SE 1/4 of Section 26, Township 17, Range 1 East;

And also, the NE 1/4 of the SW 1/4 of Section 26, Township 17, Range 1 East, consisting of 40 acres;

And also, the NW 1/4 of the SW 1/4 of the Section 26, Township 17, Range 1 East, consisting of 40 acres;

And also, the tract of the North side of the South One-Half of the SW 1/4 of Section 26, Township 17, Range 1 East, consisting of 20 acres, all situated in Shelby County, Alabama,

My father, mother and my brother and sister have been in open, notorious and adverse possession of the above described tracts of land for over fifty years and have annually listed the land for taxes and paid the taxes on said land. No one else has ever claimed any part of said land.

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

88 FEB 10 AM 9:20

*Thomas A. Saunders, Jr.*  
JUDGE OF PROBATE

*Charles Frey*  
CHARLES FREY

Rec 5.00  
Jud 1.00  
6.00

Sworn to and subscribed by me this 5th day of FEBRUARY, 1988.

*Joseph W. Adams*  
NOTARY PUBLIC