

AFFIDAVIT

STATE OF ALABAMA
SHELBY COUNTY

Before me, the undersigned authority, a Notary Public in and for said county, in said State, personally appeared the undersigned affiant, who, after being by me first duly sworn to speak the truth, deposes and says as follows:

My name is Karen McKenzie Gentry. I am thirty-three years of age and reside at 544 Highway 35, Pelham, Alabama 35124. I am the daughter of Alvin D. McKenzie and Flora B. McKenzie. Flora B. McKenzie died on March 15, 1982 and Alvin D. McKenzie died on August 4, 1992. Neither Flora B. McKenzie nor Alvin D. McKenzie ever had any children other than affiant and affiant's sister, Kathy McKenzie Rhodes. The said Alvin D. McKenzie did leave a last will and testament, a copy of which is attached to this affidavit as Exhibit "A" and made part and parcel hereof as fully as if set out herein. The said last will and testament left all of his estate, both real, personal and mixed to affiant, Karen McKenzie Gentry, and affiant's sister, Kathy McKenzie Rhodes. The will has never been admitted to probate as it was determined that there was no need to expend money to do so since affiant and her sister, as aforesaid, were the only heirs in the estate. I have personal knowledge of the Estate of Alvin D. McKenzie and state that all of the debts of the said Alvin D. McKenzie have been paid. There are no outstanding debts or claims against either the Alvin D. McKenzie Estate or Flora B. McKenzie Estate. The said Alvin D. McKenzie was a widower at the time of his death.

It has been called to my attention that a Karen Sue Gentry filed a Chapter 7 Bankruptcy on April 26, 1989 under Case No. 89-06256. This is not your affiant. I do not know the said Karen Sue Gentry, but affiant has never filed this or any other proceeding of any kind in bankruptcy.

It has also been called to my attention that there is a judgment of record in favor of Shelby County Health Care Authority d/b/a Shelby Medical Center recorded in Real Book 256, Page 327. This judgment is not against affiant. It has also been called to my attention that there are judgments against Karen Sue Gentry in favor of Women's Diagnostic Center recorded in Real Book 321, Page 205 in the Probate Records of Shelby County, Alabama, and another judgment against Karen S. Gentry in favor of Alabama Stores, Inc. d/b/a The Emily Shop which judgment is recorded in Real Book 328, Page 706, all in the Probate Records of Shelby County, Alabama. I do not owe any of these debts and am not the party named in any of those judgments. The Karen Gentry in those judgments lives at Alabaster and is an entirely different person from your affiant.

Karen M. Gentry
Affiant

Sworn to and subscribed to before
me on this 8 day of April, 1993.

[Signature]
Notary Public

COURTNEY H. MASON, JR.
MY COMMISSION EXPIRES

3-5-95
Inst # 1993-10226

04/14/1993-10226
11:35 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 11.50

Last Will and Testament

OF

ALVIN D. MCKENZIE

STATE OF ALABAMA)

SHELBY COUNTY)

I, ALVIN D. MCKENZIE, of Route 2, Box 63-A, Calera, Alabama, being of sound mind and disposing memory, do hereby make, publish and declare this my Last Will and Testament, hereby revoking all other or former wills or testamentary dispositions which might have been made by me at any time heretofore:

FIRST: I will and direct that my just debts and funeral expenses be paid as soon after my decease as is convenient.

SECOND: I will, devise and bequeath unto my beloved daughters, KATHY MARIE MCKENZIE and KAREN DENISE GENTRY, all my property and estate, of every kind and character, real, personal or mixed, wheresoever situate, of which I may die seized and possessed or to which I may be entitled at the time of my decease, share and share alike, per stirpes.

In the event either of the aforementioned children shall predecease me leaving no lineal descendants, then I will, devise and bequeath all my property and estate to the survivor of my aforementioned children, per stirpes.

THIRD: I nominate and appoint my daughters, KATHY MARIE MCKENZIE and KAREN DENISE GENTRY, as Co-Executrices of this my Last Will and Testament. It is my will and desire that my Co-Executrices shall not be required to give any bond or security for the performance of their duties as such Co-Executrices, or to account to any Court for their duties as Co-Executrices, or to account to any Court for their acts and doings as such Co-Executrices, and that they are hereby expressly exempted from filing an inventory or making any report of final settlement of my estate. Said Co-Executrices shall have full power, without the necessity for any order from any Court, to sell (for payment of debts and all other purposes), exchange, lease, or encumber all or any portion of my estate in such manner and upon such terms and conditions as they may approve.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal on this the

3-25 day of March, 1982.

Alvin D. McKenzie (SEAL)

LAST WILL AND TESTAMENT OF
ALVIN D. MCKENZIE
PAGE TWO

SIGNED, SEALED, PUBLISHED and DECLARED by the above named ALVIN D.
MCKENZIE, as and for his Last Will and Testament, in the presence of us, who, in
his presence, and in the presence of each other, have hereto set our hands as
witnesses.

Jamie E. Culver
Witness

Lance Brasher
Witness

Inst # 1993-10226

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