

This instrument prepared by:

W. Benjamin Johnson, Esquire  
Burr & Forman  
420 North 20th Street  
Suite 3000  
Birmingham, Alabama 35203

STATE OF ALABAMA       )  
SHELBY COUNTY        )

AFFIDAVIT

Personally appeared before me the undersigned, a notary public in and for said County and said State, CHARLES E. MORGAN, an individual, who by me first being duly sworn deposes and says as follows:

1. My name is CHARLES E. MORGAN.
2. My brother, Niel C. Morgan, Jr., is also known as Nathaniel Chase Morgan.
3. As of the date of death of my father, Nathaniel Chase Morgan a/k/a Niel C. Morgan a/k/a Neil C. Morgan, none of the heirs were under the age of thirty (30) years, and no trust was established under his will.
4. This Affidavit is given to induce Ticor Title Insurance Company to issue its title policy with respect to that certain property (the "Property") described on Exhibit "A" attached hereto and incorporated herein by reference. I own the property together with my brothers, Niel C. Morgan, Jr., a/k/a Nathaniel Chase Morgan, and Daniel G. Morgan.

Dated this 14th day of March, 1994.

Charles E. Morgan  
CHARLES E. MORGAN, AFFIANT

Sworn to and subscribed before  
me this 14th day of March,  
1994.

Barry J. Shipper  
6-1-96

Inst # 1994-08125

03/14/1994-08125  
10:20 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCD 11.00

EXHIBIT "A"

LEGAL DESCRIPTION "PARCEL I"

Commence at the Northwest corner of the Southeast 1/4 of Section 31, Township 19 South, Range 2 West, thence run in an Easterly direction along the North line of the Southeast 1/4 for a distance of 329.53'; thence turn an angle to the right of 60 degrees 17 minutes 38 seconds and run in a Southeasterly direction for a distance of 1009.25 feet to the point of beginning, from the point of beginning thus obtained continue along the last described course for a distance of 250.00 feet to a point on the Northwest right of way of Alabama Highway No. 119, thence turn an angle to the right of 88 degrees 06 minutes, 12 seconds and run in a Southwesterly direction along the Northwest right of way for a distance of 160.00 feet; thence turn an angle to the right of 91 degrees, 53 minutes, 48 seconds and run in a Northwesterly direction for a distance of 250.00 feet; thence turn an angle to the right of 88 degrees, 06 minutes, 12 seconds and run in a Northeasterly direction for a distance of 160.00 feet to the point of beginning.

Subject to the following:

1. Taxes due and payable October 1, 1994.

165585.

Inst # 1994-08125

03/14/1994-08125  
10:20 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 HCD 11.00

Inst # 1994-08125