

[EXECUTION COPY]

STATE OF ALABAMA )  
COUNTY OF Shelby )**SELLERS' AFFIDAVIT**

Inst # 1994-34889

THIS AFFIDAVIT is being made by the Owners described below (collectively, the "Owners") for the express purpose of inducing Lawyers Title Insurance Corporation to issue an owner's and a lender's policy of title insurance with respect to the Property described below. Each of the Owners, under oath, states as follows:

1. Each of the Owners has full and complete personal knowledge of the matters stated herein.

2. Each of the Owners is an heir (except for N/A) to the Estate of Mattie L. Johnson, Deceased, and, in addition, each of the Owners holds an interest in that certain real property located in Shelby County, Alabama, more particularly described on Exhibit A attached hereto and made a part hereof.

3. Each of the Owners consents to the termination and release of that certain Easement dated March 18, 1957 executed by Mary Lee Martin and Dolphus Martin in favor of C. B. Pryor and Betty Jean Pryor, as recorded in Book 185, Page 367 in the Office of the Judge of Probate of Shelby County, Alabama, to the extent that such Easement affects the Property described herein.

4. Each of the Owners expressly acknowledges and agrees that that certain Easement for Joint Use of Driveway dated May 26, 1994 executed by John Amos Furniture Company, Inc., Mary Martin, Jean Pryor, Tommy Johnson, Addie Smith and Rollin L. Johnson as recorded as instrument number 1994-17716 in the Office of the Judge of Probate of Shelby County, Alabama (which Easement does not contain a legal description), neither applies to nor affects the Property.

Inst # 1994-34889

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11/23/1994-34889  
03:26 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
006 SNA 24.00

IN WITNESS WHEREOF, this instrument has been executed by the undersigned under seal on this 22nd day of November, 1994.

"OWNERS:"

Betty Jean Pryor  
Betty Jean Pryor

Rollin L. Johnson, Jr.  
Rollin L. Johnson, Jr.

James Thomas Johnson  
James Thomas Johnson

Mary Lee Cline Martin  
Mary Lee Cline Martin

Addie Smith  
Addie Smith

STATE OF ALABAMA

COUNTY OF Shelby )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Betty Jean Pryor, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 22<sup>nd</sup> day of November, 1994.

Donna F. Smith  
Notary Public

[AFFIX SEAL]

My Commission Expires: 1/8/98

STATE OF ALABAMA

COUNTY OF Shelby )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Rollin L. Johnson, Jr., whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 22<sup>nd</sup> day of November, 1994.

Donna F. Smith  
Notary Public

[AFFIX SEAL]

My Commission Expires: 1/8/98

STATE OF ALABAMA

COUNTY OF Shelby )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that James Thomas Johnson, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 22nd day of November, 1994.

[Signature]  
Notary Public

[AFFIX SEAL]

My Commission Expires: 1/8/98

STATE OF ALABAMA

COUNTY OF Shelby )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Mary Lee Cline Martin, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 22nd day of November, 1994.

[Signature]  
Notary Public

[AFFIX SEAL]

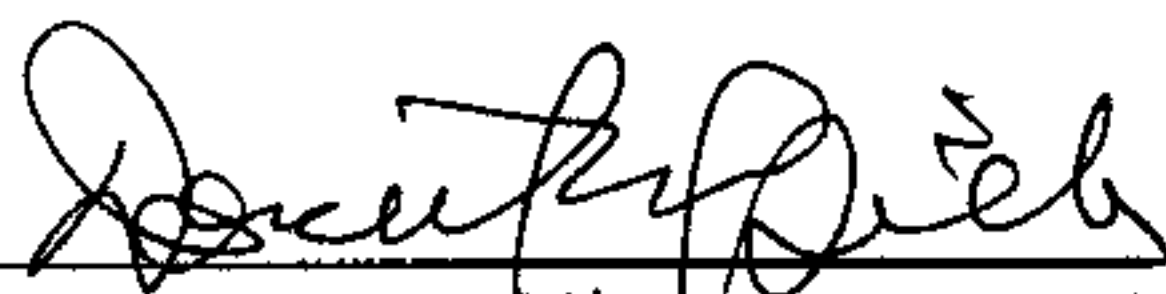
My Commission Expires: 1/8/98

STATE OF ALABAMA )

COUNTY OF Shelby )

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Addie Smith, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 22 day of November, 1994.

  
\_\_\_\_\_  
Notary Public

[AFFIX SEAL]

My Commission Expires: 1/8/98

This Instrument Prepared By:  
Thomas C. Clark III  
Maynard, Cooper & Gale, P.C.  
1901 Sixth Avenue North  
2400 AmSouth/Harbert Plaza  
Birmingham, Alabama 35203  
(205) 254-1000



Exhibit A

## (Description of Property)

A parcel of land containing 20.19 acres more or less, located in the Southwest Quarter of Section 31, Township 19 South, Range 2 West, Shelby County, Alabama; more particularly described as follows:

Commence at the Southeast corner of the Southwest Quarter of Section 31; thence run North along the Quarter line 827.48 feet to the Southerly Right-of-Way (R.O.W.) of Alabama Highway 119; thence continue North 90.33 feet to the Northerly R.O.W. of Highway 119; thence right 61 deg. 09 min. 23 sec. along said R.O.W. 96.03 feet to the point of beginning; thence left 61 deg. 09 min. 23 sec. along said R.O.W., 96.03 feet to the point of beginning; thence left 87 deg. 44 min. 14 sec., 783.88 feet; thence left 82 deg. 13 min. 46 sec., 9.78 feet; thence continue Southwesterly along the same course 261.85 feet; thence continue Southwesterly along the same course 267.08 feet; thence left 8 deg. 00 min. 27 sec., 137.37 feet; thence left 8 deg. 03 min. 32 sec., 378.44 feet; thence right 41 deg. 54 min. 57 sec., 46.43 feet to the East R.O.W. of U.S. Highway No. 31; thence left 89 deg. 29 min. 44 sec., 30.00 feet; thence 90 deg. 00 min. left 210.00 feet; thence right 90 deg. 00 min. 00 sec., 60.00 feet; thence right 52 deg. 41 min. 46 sec., 264.01 feet to the Easterly R.O.W. of U.S. Highway 31; thence left 52 deg. 41 min. 46 sec. along said R.O.W. 97.57 feet; thence left 92 deg. 30 min. 54 sec., 343.43 feet; thence right 89 deg. 39 min. 35 sec., 249.77 feet to the Northerly R.O.W. of Highway 119, being a point on a curve to the left, concave to the Northwest, with a radius of 1869.89 feet, a central angle of 27 deg. 55 min. 20 sec. and a chord of 902.27 feet; thence left to the chord 111 deg. 06 min. 17 sec. and run Northeasterly along the arc length of 911.26 feet; thence continue tangent to said curve Northeasterly 229.43 feet to the point of beginning.

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