

FILE NO. 95991

STATE OF ALABAMA )  
JEFFERSON COUNTY )

Before me, the undersigned, a Notary Public in and for said County in said State, personally appeared Gerald H. Harris and Michael B. Johnson, with reference to the following described property situated in Shelby County, Alabama, to wit:

A tract of land situated in the Southeast ~~quarter~~ of the Northwest quarter of Section 26, Township 19 South, Range 3 West, Shelby County, Alabama, more particularly described as follows: Commence at the Northeast corner of the Southeast quarter of the Northwest quarter of said Section 26; thence go in a Westerly direction along the North line of said quarter-quarter section a distance of 912.82 feet to centerline of Shelby County Road #271; thence turn left 66 deg. 01 min. 53 sec. and go in a Southwesterly direction along the centerline of said road a distance of 430.40 feet; thence turn left 80 deg. 59 min. 59 sec. and go in a Southeasterly direction a distance of 13.97 feet to the point of beginning of the tract herein described; thence turn right 78 deg. 41 min. 03 sec. and go in a Southwesterly direction a distance of 45.00 feet; thence turn left 124 deg. 36 min. 48 sec. and go in a Northeasterly direction a distance of 184.77 feet; thence turn left 166 deg. 54 min. 17 sec. and go in a Westerly direction a distance of 163.46 feet to the point of beginning, being situated in Shelby County, Alabama.

Affiant Gerald H. Harris is the sole heir of his father and mother, namely, C. H. Harris and Tippie B. Harris, who died in May, 1993, and in March, 1992, respectively, and that he was the only child of his said parents, there being no children of any deceased children; that the said C. H. Harris and Tippie B. Harris were the former owners of the above described property under a survivorship warranty deed, and that same went to his father, C. H. Harris on the death of his mother, Tippie B. Harris; that C. H. Harris, the last of his parents to die, died testate and left a will leaving everything to his one son, your Affiant Gerald H. Harris. This affiant says that all bills and debts of the said C. H. Harris were paid after his death, and there are no remaining bills of the said C. H. Harris. A copy of his will, drawn by Mr. Conrad Fowler, Attorney, of Columbiana, is attached, but there was no need to probate same inasmuch as the said Gerald H. Harris was the sole heir and the above property descended to him under the law of descent and distribution of Alabama, and that the said Conrad H. Fowler advised him that it was not necessary to probate said will.

Inst # 1995-17942

Louise J. McLean,  
611 Ridge Top Cir  
Birmingham AL 35206-1627

07/10/1995-17942  
10:29 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 13.50

Affiant Michael B. Johnson has been a longtime friend of the Harris family and knew the other Affiant's mother and father, and their status and conditions, and states in this affidavit that the above facts are true and correct, the said Michael B. Johnson not being related by blood or marriage to the other Affiant, Gerald H. Harris.

Affiants say that this affidavit is made to give record evidence of the ownership of the said Gerald H. Harris in and to the above described property.

*Gerald H. Harris*  
Gerald H. Harris, Affiant

*Michael B. Johnson*  
Michael B. Johnson, Affiant

Subscribed and sworn to before me this 7 day of July, 1995.

*Lillian Sue Perrygo*  
Notary Public

My Commission Expires March 28, 1998

# Last Will and Testament

OF

C. H. HARRIS

STATE OF ALABAMA

SHELBY COUNTY

I, C. H. HARRIS, of 609 Cahaba River Estates, Birmingham, 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 all of 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 to my son, GERALD H. HARRIS, per stirpes.

*Handwritten:*  
C. H. HARRIS

THIRD: I nominate and appoint my son, GERALD H. HARRIS, to be the Executor of this my Last Will and Testament. However, in the event my said son shall predecease me or be unable or unwilling to serve for any reason, then I nominate and appoint MARLINE HOWARD to be the sole Executrix of this my Last Will and Testament. It is my will and desire that my Executor or Executrix, regardless of which of those named above shall so serve, shall not be required to give any bond or security for the performance of his or her duties as such Executor or Executrix, or to account to any court for his or her acts and doings as such Executor or Executrix, and that he or she is hereby expressly exempted from filing an inventory or making any report of final settlement of my estate. Said Executor or Executrix shall have full power, without the necessity for any order from any court, to sell (for payment of debts and all other purposes), exchange, convey, lease, invest, reinvest, mortgage or encumber all or any

H. HARRIS  
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portion of my estate in such manner and upon such terms and conditions as he or she may approve.

I, C. H. HARRIS, the testator, sign my name to this instrument this 9<sup>th</sup> day of April, 1992, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.

C. H. Harris  
C. H. HARRIS

We, Dorothy Jackson and Laurie Brasher the witnesses, sign our names to this instrument, being first duly sworn, and do hereby declare to the undersigned authority that the testator signs and executes this instrument as his Last Will and that he signs it willingly, and that each of us, in the presence and hearing of the testator, hereby signs this Will as witness to the testator's signing, and that to the best of our knowledge the testator is eighteen years of age or older, of sound mind, and under no constraint or undue influence.

Dorothy Jackson  
Laurie Brasher  
Inst # 1995-17942

STATE OF ALABAMA)  
SHELBY COUNTY )

07/10/1995-17942  
10:29 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 13.50

Subscribed, sworn to and acknowledged before me by C. H. HARRIS, the testator, and subscribed and sworn to before me by Dorothy Jackson and Laurie Brasher, witnesses, this the 9<sup>th</sup> day of April, 1992.

Peggy J. Letton  
Notary Public