

AFFIDAVIT OF FREDERICK A. NICHOLS
AND JOAN N. ALEXANDER

STATE OF ALABAMA
SHELBY COUNTY

Before me, the undersigned authority, in and for said County, in said State, personally appeared Frederick A. Nichols and Joan N. Alexander, who, after being by me first duly sworn, depose and say as follows:

Our names are Frederick A. Nichols and Joan N. Alexander, Frederick A. Nichols being 69 years of age, and Joan N. Alexander being 59 years of age. Our brother is Henry L. Nichols, Jr., and we are all of the children of Henry L. Nichols, Sr. and wife, Virginia C. Nichols, both of whom are deceased.

Our father, Henry L. Nichols, Sr., died in July, 1983, and his estate was administered by the Probate Court of Shelby County, Alabama, Case No. 23-71. Our father was the owner of Columbiana Heading Company, a sole proprietorship, with principal place of business in Columbiana, Alabama, from the 1940's until 1963, when operations ceased. All Columbiana Heading Company property was owned by our father.

After our father's death, his property passed to our mother and our brother and each of us. Our mother, Virginia C. Nichols, died on August 20, 1993, and her Last Will and Testament was admitted to probate by the Probate Court of Shelby County, Alabama, on October 1, 1993, Case No. 32-132. My mother left miscellaneous personal items to various individuals, and all remaining property, including all real property was devised to our brother and each of us.

Frederick A. Nichols, Joan N. Alexander, and Henry L. Nichols, Jr., are the owners of the SW 1/4 of the SW 1/4 of Section 35, Township 21, Range 1 West, Shelby County, Alabama, pursuant to that deed from E. E. Moore and wife, Minnie May Moore, to Columbiana Heading Company, dated August 31, 1956, and recorded in the Probate Office of Shelby County, Alabama, Deed Book 182, page 87. All ad valorem taxes on said property were paid by our parents until their death, and we and our brother have paid said taxes subsequent thereto.

The above referenced property has been recently surveyed by R. Edward Gilliland, Alabama Reg. No. 15919, on December 4, 1995. The survey description is intended to cover one and the same property as the above referenced property, and we, along with our brother, are the owners of said property.

This the 12 day of December, 1995.

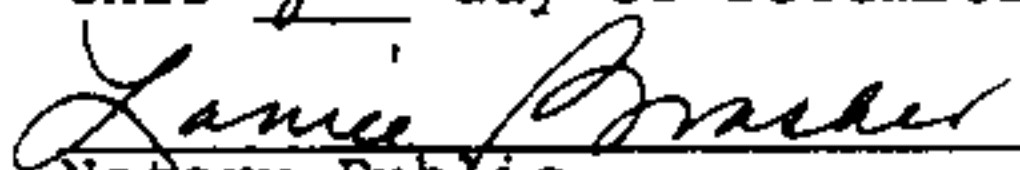

Frederick A. Nichols

Sworn to and subscribed before me
this 12th day of December, 1995.


Notary Public


Joan N. Alexander

Sworn to and subscribed before me
this 12th day of December, 1995.


Notary Public

Inst # 1995-35864

12/14/1995-35864
11:58 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCD 8.50