

AFFIDAVIT

STATE OF ALABAMA)

COUNTY OF SHELBY)

Before me, the undersigned authority, appeared Robert G. Boothe, who, after being duly sworn, deposes and says on oath as follows:

My name is Robert G. Boothe and I am above the age of nineteen (19) years. This affidavit is based on personal knowledge. Gerald W. Boothe has had possession of the property described in the attached Exhibit A since August 13, 1982. Additionally, the property described in Deed Book 341, Page 992, dated August 13, 1992 (See Attached Exhibit B) is one and the same property described in Instrument No. 1994-23558, dated July 25, 1994 (See Attached Exhibit C).

Robert G. Boothe
AFFIANT

Sworn to and subscribed before me on this the 17th day of May, 1996.

Heather Lynn White
Notary Public
My Commission Expires:
MY COMMISSION EXPIRES MARCH 20, 2003

Inst # 1996-16766

05/23/1996-16766
09:56 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 NCD 17.00

Inst # 1996-16766

Lindsey

EXHIBIT A

A parcel of land in the NW 1/4 of the SE 1/4 and the NE 1/4 of the SW 1/4 of Section 5, Township 22 South, Range 3 West, Shelby County, Alabama, described as follows:
Commence at the SW corner of the NW 1/4 of the SE 1/4 of said Section 5; thence run North 68 degrees 02 minutes 46 seconds west a distance of 45.50 feet to the centerline of a chert road; thence run North 24 degrees 57 minutes 29 seconds East along said centerline a distance of 212.37 feet to the Point of Beginning; thence run North 67 degrees 58 minutes 49 seconds West a distance of 87.20 feet to an existing iron pin; thence run North 05 degrees 23 minutes 59 seconds East along an old fence line a distance of 103.72 feet; thence North 02 degrees 24 minutes 30 seconds West along said fence line a distance of 428.38 feet to an existing iron pin; thence run North 87 degrees 26 minutes 41 seconds East a distance of 36.58 feet to the centerline of a chert road; thence southerly along the centerline of said chert road, the following bearings and distances: South 19 degrees 31 minutes 50 seconds East a distance of 276.66 feet South 13 degrees 58 minutes 00 seconds East a distance of 73.00 feet South 05 degrees 53 minutes 00 seconds West a distance of 93.00 feet, South 18 degrees 45 minutes 17 seconds West a distance of 149.43 feet to the point of beginning. LESS AND ESCEPT THAT part lying wihtin the right of way of the public road.

EXHIBIT B



This instrument was prepared by

Loring S. Jones, III, Attorney At Law
1009 Montgomery Hwy. Suite 107
Vestavia, Alabama 35216

Cons. \$1,000.

WITNESSETH, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

STATE OF ALABAMA

KNOW ALL MEN BY THESE PRESENTS

Shelby COUNTY

For and in consideration of Ten Dollars and 00/100 DOLLARS

to the undersigned grantor or grantors in hand paid by the GRANTEE herein, the receipt whereof is acknowledged, we,

Robert Gerald Boothe, and wife, Mildred L. Boothe
herein referred to as grantors) do grant, bargain, sell and convey unto

Gerald W. Boothe, an unmarried man
herein referred to as GRANTEE) as joint tenants with right of survivorship, the following described real estate situated in

Shelby County, Alabama to-wit:

A parcel of land containing 1.2 acres, more or less, in the NW 1/4 of the SE 1/4 and the NE 1/4 of the SW 1/4 of Section 5, Township 22 South, Range 3 West, Shelby County, Alabama, described as follows: Commence at the SW Corner of the NW 1/4 of the SE 1/4 of said Sect. 5, thence run North 68° 02' 46" West a distance of 45.50 ft. to the centerline of a chert rd., thence run North 24° 57' 29" East along said centerline a distance of 212.37 ft., to the POB, thence run North 67° 58' 49" West a distance of 87.20 ft. to an existing iron pin, thence run North 05° 23' 59" East along an old fence line a distance of 103.72 feet, thence run North 02° 24' 30" West along said fence line a distance of 428.38 feet to an existing iron pin, thence run north 87° 26' 41" East a distance of 36.58 feet to the centerline of a chert rd., thence southerly along the centerline of said chert rd. the following bearings and distances: South 19° 31' 50" East a distance of 276.66 feet, South 13° 58' 00" East a distance of 73.00 ft., South 05° 53' 00" West a distance of 93.00 ft., South 18° 45' 17" West a distance of 149.43 ft. to the point of beginning. LESS & EXCEPT that part lying within the right-of-way of the public road.

TO HAVE AND TO HOLD to the said GRANTEE as joint tenants with right of survivorship.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEE, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises, that they are free from all encumbrances unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s), this 13th day of August, 1982.

WITNESSETH

NOTARY PUBLIC
SHELBY COUNTY, ALABAMA
NOTARY PUBLIC
NOTARY PUBLIC

1982 AUG 26 AM 9:15

NOTARY PUBLIC
SHELBY COUNTY, ALABAMA
NOTARY PUBLIC
NOTARY PUBLIC

STATE OF ALABAMA

Shelby COUNTY

General Acknowledgment

The Undersigned

Robert Gerald Boothe and wife, Mildred L. Boothe
hereby certify that they are the persons who have signed the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they have executed the same voluntarily.

Witness my hand and official seal, this 13th day of August, 1982.

Jim Walter homes, inc.
P.O. BOX 22001 1500 N. DALE HARRY HWY
TAMPA, FLORIDA 33622

MY COMMISSION EXPIRES: 3-12-83

EXHIBIT C

Form 1-1-17 Rev. 10/75

QUITCLAIM DEED - Lawyers Title Insurance Corp. - Birmingham, Alabama

STATE OF ALABAMA

COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of the sum of ONE AND NO/100 (\$1.00) AND OTHER GOOD & VALUABLE CONSIDERATIONS

in hand paid to the undersigned, the receipt whereof is hereby acknowledged, the undersigned Clayton McKee and wife, Irene McKee

hereby release, release, quit claims, grants, sells, and conveys to Gerald W. Boothe and wife, Carol Boothe

(hereinafter called Grantee), all our right, title, interest and claim in or to the lot-

lowing described real estate, situated in Shelby County, Alabama, to-wit: A parcel of land in the SW 1/4 of Section 5, Township 22 South, Range 3 West, Shelby County, Alabama, described as follows: Commence at the Southeast corner of said 1/4 section; thence run North along the East 1/2 line 1425.21 feet to the centerline of old Butterwalk Road; thence run North 21 deg. 31 min. 05 sec. East 129.25 feet along the centerline of said road; thence run North 67 deg. 58 min. 49 sec. West 259.89 feet to an existing fence line being the point of beginning of the herein described parcel; thence run North 05 deg. 11 min. 02 sec. West 535.70 feet along said fence being the West side of a dirt drive to the centerline of a short road, also known as Scott Road; thence run South 80 deg. 07 min. 40 sec. East 164.61 feet along said road; thence run South 54 deg. 53 min. 24 sec. East 49.54 feet along said road to the Northwest corner of that parcel of land deeded from Robert Gerald Boothe and wife Mildred L. Boothe to Gerald W. Boothe and recorded in deed book 341, page 912 in the Office of the Judge of Probate; thence run South 02 deg. 24 min. 30 sec. East 428.38 feet along the West line of said Gerald W. Boothe lot; thence run South 05 deg. 11 min. 39 sec. West 103.72 feet along the West line of said Gerald W. Boothe lot; thence run in a Westerly direction along that certain property line serving as the North boundary line of the Clayton and Irene McKee property 172.69 feet more or less to the point of beginning. This deed has been executed for curative purposes to establish certain property line boundaries.

TO HAVE AND TO HOLD to said GRANTEE forever.

Given under our hands and seals, this 25th day of July 1994.

Witnesses:

Clayton McKee (SEAL)
Irene McKee (SEAL)
_____ (SEAL)
_____ (SEAL)

STATE OF ALABAMA

COUNTY OF SHELBY

I, the undersigned authority, a notary public

in and for said County, in said State, hereby certify that Clayton McKee and wife, Irene McKee

whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 25th day of July 1994

Return To:
 M A Spears

Carroll M. Johnson
 Notary Public

This instrument was prepared by

Name WALLACE, BLAIR, FOWLER & HEAD, ATTORNEYS AT LAW

Address COLUMBIANA, ALABAMA 35051

Inst # 1994-23558

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 004 MCD

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