

AFFIDAVIT

STATE OF ALABAMA
SHELBY COUNTY

Before me, the undersigned authority in and for said County and State personally appeared J.O. Page who is known to me and who first being duly sworn, deposes and says as follows:

I am over the age of nineteen years of age and have lived in Shelby County, Alabama continuously since the year 1966 to the date of this affidavit. I was personally acquainted with Benny Bird Curry, Herman Curry Little and wife Sadie Ward Little and Will H. Little having known them for 30 years. I am not related to any of the above mentioned people and I have no interest in the subject property.

Benny Bird Curry obtained title to the parcel of land described on Exhibit A as Parcel I by Deed Book 50, Page 578 in the Probate Office. Mr. Curry died and left a will. The executor of that will deeded the subject property to Herman C. Little by Deed Book 330 Page 900. Herman C. Little died with a will, Case No. 32-069 and left the property to Will H. Little. Will H. Little died with a will, Case No. 33-159 and left the property to Jeffrey Rush Curry III.

Alice Mae Ambrose obtained title to the parcel described on Exhibit A as Parcel II by Deed Book 107, Page 88. Ms. Ambrose died without a will. I affirm that the only heirs were Herman C. Little and Will H. Little.

I am also personally aware that Herman Curry Little and wife, Sadie Ward Little lived on both of these parcels since the 1950's. Herman Curry Little and Sadie Ward Little were in continuous, actual, open, notorious, adverse, peaceful, exclusive possession of this property claiming to own the same in the year 1950. They lived on said property in a house and had possession until their deaths in 1993 and 1989 respectively. They used this property as their homestead and their heirs have owned and used it as their own until present. They have or their heirs have assessed and paid the taxes on said property to the present time.

I have known known the property for 30 years and during the time that I have known said property have never known or heard of anyone disputing the ownership of Herman Curry Little and wife, Sadie Ward Little or their heirs or anyone making a claim to any part thereof.

This affidavit is made for the purpose of inducing Cahaba Inc. to issue their title insurance policies under Binder No. 105337, insuring the parcel of land described on Exhibit A attached hereto.

In Witness Whereof, I have unto set my hand and seal on this the 12th day of September 1996.

Sworn to and subscribed before me
this the 12th day of September 1996.

Louise H. Reeder

MY COMMISSION EXPIRES DECEMBER 18, 1997

Notary Public
08:17 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

002 MCD

11.00

Inst # 1996-33411

Exhibit "A"

Parcel I

A parcel of land of a uniform width of 17 feet fronting on the east side of Church Street and extending (for a uniform width of 17 feet) along the Northeastly line of the B.B. Curry property (as shown by deed recorded in Deed Book 50 at page 578, office of Judge of Probate of Shelby County, Alabama) to the Western line of the right of way of the Southern Railroad in Wilton, Shelby County, Alabama; being more particularly described as follows:

Begin at a point on the Eastern side of Church Street, according to a survey and map of the land of G. A. Nabors, as recorded in the office of the Probate Judge of Shelby County, Alabama, in Map Book 3 page 33 (formerly Map Book 1 page 13) which point is 103 feet 10 inches South 35 deg. 10 min. West from the Northern most corner of Lot No. 4, Block 1, according to said survey and map, said point of beginning being the NW corner of said B. B. Curry lot; thence continue South 35 deg. 20 min. West along the eastern side of Church Street a distance of 17.0 feet; thence South 37 deg. 10 min. East to the Western line of the right of way of the Southern Railroad, said point being 50 feet from the centerline of the main tract of said railroad, measuring at right angles thereto; thence North 34 deg. 15 min. East along the Western line of said right of way, a distance of 17.0 feet to a point thereon which is South 37 deg. 10 min. East from the point of beginning of the parcel hereby conveyed, said point being the NE corner of said B. B. Curry lot; thence North 37 deg. 10 min. West along the Northerly line of said B. B. Curry lot to the point of beginning; being situated in the SE 1/4 of the NE 1/4 of Section 8, Township 24 North, Range 12 East, Shelby County, Alabama.

Parcel II

A parcel of land situated in the SE 1/4 of NE 1/4 of Section 8, Township 24 North, Range 12 East, and in the Town of Wilton, Alabama; more particularly described as follows:

Begin at the Northernmost corner of Lot 4, Block 1, according to a survey and map of lands of G. A. Moore, as recorded in Map Book 1 page 13 in the office of the Probate Judge of Shelby County, Alabama, and run thence South 35 deg. 20 min. West along the margin of Church Street for a distance of 103.10 feet; thence South 37 deg. 20 min. East, to the Western line of the right of way of Southern Railway; thence North 34 deg. 15 min. East and along the line of said right of way for a distance of 103.10 feet; thence North 37 deg. 10 min. West to the point of beginning; being situated in Shelby County, Alabama.

Parcel I and II above more particularly described as follows with an overall boundary description:

A parcel of land in the NE 1/4 of SE 1/4 of Section 8, Township 24 North, Range 12 East, Shelby County, Alabama; described as follows: Begin at the Northernmost corner of Lot 4, Block 1, of the G. A. Nabors Subdivision as recorded in Map Book 3 page 33 in the Office of the Judge of Probate, Shelby County, Alabama; thence run Southwest along the Southeast right of way of Church Street for 120.84 feet; thence turn an angle of 90 deg. 56 min. 33 sec. and run Southeast for 284.58; thence turn an angle to the left of 92 deg. 25 min. 05 sec. and run Northeast along the Northwest right of way of Railroad Street for 120.93 feet; thence turn an angle to the left of 87 deg. 34 min. 55 sec. and run Northwest for 277.44 feet to the point of beginning; being situated in Shelby County, Alabama.

Inst # 1996-33411

10/08/1996-33411
08:17 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 KCD 11.00