

STATE OF ALABAMA
SHELBY COUNTY

Before me, the undersigned authority in and for said County and State personally appeared Mary E. Branham and George Stagner who are known to me and who first being duly sworn, deposes and says as follows:

We are over the age of nineteen years of age and have lived in Shelby County, Alabama continuously since the year 1957 to the date of this affidavit. We are personally acquainted with Odell C. Payne and the property described on the attached Exhibit A. We are not related to Odell C. Payne and we have no interest in the subject property. Odell C. Payne has lived on the subject property since 1957.

We hereby certify that Odell C. Payne was in continuous, actual, open, notorious, adverse, peaceful, exclusive possession of this property claiming to own the same in the year 1957. She has used this property as his homestead since that time. She has assessed and paid the taxes on said property to the present time.

We have known the property for over twenty years and during the time that we have known said property we have never known or heard of anyone disputing the ownership of Odell C. Payne or anyone making a claim to any part thereof.

This affidavit is made for the purpose of inducing The Cahaba Title Inc to issue their title insurance policies under Binder No. 105748, insuring the parcel of land described on Exhibit A attached hereto.

In Witness Whereof, we have here unto set our hands and seals on this the 5TH day of February 1997.

Sworn to and subscribed before me
this the 5 day of February 1997.

Mary E. Jones
Notary Public 10/26/2000

Sworn to and subscribed before me
this the day of February 1997.

Mary E. Jones
Notary Public 10/26/2000

Mary E. Branham
Affiant

George Stagner
Affiant

Inst # 1997-05464

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Exhibit "A"

A parcel in the E 1/2 of the NE 1/4 of the NE 1/4 of Section 29, Township 19 South, Range 1 East, Shelby County, Alabama. Said survey is the area bounded by existing fencing and Shelby County Road No. 51 (formerly called Pumpkin Swamp Road) and more particularly described as follows:

Commence at the NE corner of the property described in Real 213 page 94, in the Records of Probate of Shelby County, Alabama, said NE corner a point on the West right of way of Shelby County Highway No. 51 (old Pumpkin Swamp Road) 0.50 feet West of the NE corner of Section 29, Township 19 South, Range 1 East; thence Southwesterly along said West right of way 538.05 feet measures (602 feet old deed) to a 2 inch diam axle at an existing fence corner and that point of beginning of the property herein described, thence turn right 78 deg. 00 min. 05 sec. Northwesterly along an existing fence 417.44 feet measures (525 feet old deed) to a tree and fence intersections, thence turn left 109 deg. 29 min. 42 sec. Southerly along an existing fence 744.27 feet measures (741 feet old deed) to a utility pole crosote fence post on the West right of way of said Shelby County Highway No. 51 (old Pumpkin Swamp Road); thence turn left 145 deg. 09 min. 57 sec. Northeasterly along said West right of way 223.79 feet; thence turn left 01 deg. 18 min. 21 sec. continuing along said right of way 254.16 feet; thence turn left 02 deg. 38 min. 03 sec. continuing Northeasterly along said West right of way 244.02 feet measures (a total of 721.97 feet measures along the road (870 feet old deed) to said 2 inch diam axle and the point of beginning; being situated in Shelby County, Alabama.

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