

THIS INSTRUMENT WAS PREPARED BY:

MIKE T. ATCHISON, ATTORNEY
P.O. BOX 822
COLUMBIANA, ALABAMA 35051

Inst # 1997-19575

STATE OF ALABAMA
SHELBY COUNTY

AFFIDAVIT

Before me, the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared Lewis B. Walker, who after being by me first duly sworn, deposes, and says on oath as follows:

My name is Lewis B. Walker, and I am over the age of 21 years, and I am familiar with the following facts:

Sam and Rosella Carter are the owners of the property described in deed recorded as Instrument #1994-5154, in Probate Office of Shelby County, Alabama. The property has now been more accurately described by survey of Sid Wheeler, RPLS 16165, as follows:

A parcel of land in the NW 1/4 of the NE 1/4 of Section 1, Township 22 South, Range 1 West, being the same land described in a deed to Sam and Rosella Carter, recorded in Instrument #1994-05154, and being more particularly described as follows:
Commencing at a 2-inch pipe, found at the NE corner of Section 1; thence South 87 degrees 29 minutes 23 seconds West, along the North line of said Section, a distance of 2661.56 feet; thence South 00 degrees 02 minutes 27 seconds East, along the West line of the NW 1/4 of the NE 1/4 of Section 1 a distance of 723.22 feet to the NE right of way line of County Highway 47; thence South 30 degrees 25 minutes 49 seconds East, along said right of way a distance of 35.55 feet to a 1/2-inch rebar, set with a cap stamped "S. Wheeler RPLS 16165", for the point of beginning; thence South 30 degrees 25 minutes 49 seconds East along said right of way a distance of 110.01 feet to a 1/2-inch rebar, set with a cap stamped "S. Wheeler RPLS 16165"; thence along a curve in said right of way to the left having a radius of 5815.33 feet, an arc length of 99.99 feet, to a 1/2-inch rebar set with a cap stamped "S. Wheeler RPLS 16165"; thence North 59 degrees 34 minutes 11 seconds East, a distance of 314.14 feet to a 1/2-inch rebar, set with a cap stamped "S. Wheeler RPLS 16165"; thence North 30 degrees 25 minutes 49 seconds West a distance of 210.00 feet to a 1/2-inch rebar, set with a cap stamped "S. Wheeler RPLS 16165"; thence South 59 degrees 34 minutes 11 seconds West a distance of 315.00 feet, to the point of beginning.

According to survey of Sid Wheeler, RPLS 16165, dated June 25, 1996.

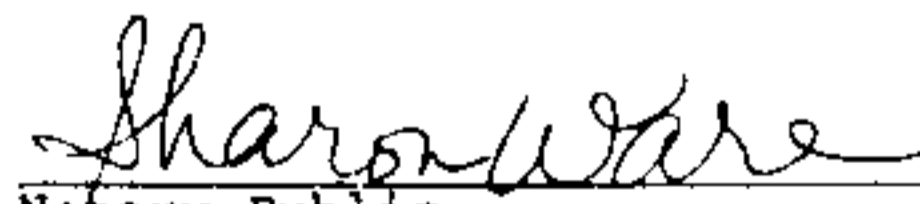
The description shown above is one and the same property as the property described in Instrument #1994-5154, and is the property which the Carters are in possession of. The Carters and their predecessors in title, Clarence Averyt, Lottie Averyt Scott, and James Clinton Knight have been in actual, adverse, open, notorious possession of the above described property since 1955.

This affidavit is given to induce Shelby County Abstract & Title Company, Inc., to issue its final policy under Case No. SS-96-3394.

Further, the affiant saith not.


Lewis B. Walker

Sworn to and subscribed to before me
this 29th day of January, 1997.


Notary Public
Comm. exp. 3-13-2000

Inst # 1997-19575

06/23/1997-19575
12:27 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCB 8.50

MTN