

THIS INSTRUMENT WAS PREPARED BY:

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

STATE OF ALABAMA  
SHELBY COUNTY

AFFIDAVIT

Before me, the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared Richard Horace Browne, III, who after being by me first duly sworn, deposes and says on oath as follows:

My name is Richard Horace Browne, III, and I am over the age of 21 years, and am familiar with the following facts:

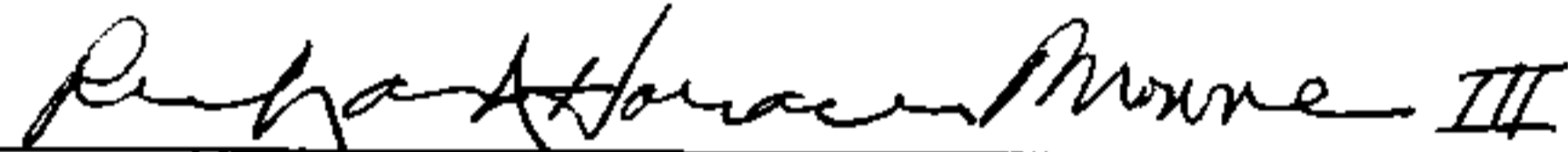
My mother, Kathleen Browne and I own the following described property, to-wit:

Lots 28, 29, 30, 31, and 32, in Block 1, according to Latham's Addition to the Town of Montevallo, Alabama, as recorded in Map Book 3, Page 25, in the Office of the Judge of Probate of Shelby County, Alabama.  
Also, a part of Lots 38, 39, and 40, in Block 3, according to Latham's Addition to Town of Montevallo, as recorded in Map Book 3, Page 25, in the Probate Office of Shelby County, Alabama, more particularly described as follows: Commence at the Southernmost corner of Lot 40, in Block 3, and run in a Northeasterly direction along the Southerly line of Lot 40 in Block 3, a distance of 50 feet; thence in a Northwesterly direction and parallel with the Southwesterly line of Lots 38, 39, and 40, a distance of 150 feet to the Northerly line of Lot 38 in Block 3; thence in a Southwesterly direction along the Northerly line of Lot 38, a distance of 50 feet to the Westernmost corner of Lot 38; thence in a Southeasterly direction along the Southwesterly line of Lots 38, 39 and 40, in Block 3, a distance of 150 feet, more or less, to the point of beginning.  
Situated in the Town of Montevallo, Shelby County, Alabama.

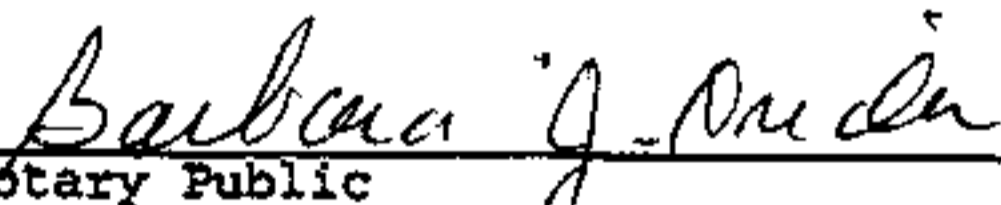
It has been brought to my attention that there is a warranty deed from E. F. Mulkey to Lilly M. Blanchard recorded in the Probate Office of Shelby County around 1940, that inadvertently covers all of the above captioned lands. My in-laws and I have been in open, adverse, continuous, notorious possession of the above described lands for a period of 60 years, living on the property, planting a kitchen garden, and paying taxes on the same. I know that neither E. F. Mulkey nor Lilly M. Blanchard have been in possession or claimed to own any portion of the above described property for a period of at least 60 years.

Also, my father, Richard Horace Browne, II, mentions William Brewer Carpenter and Robert Harlan Carpenter, who were grandchildren of my mother, Kathleen Browne, by a previous marriage. These grandchildren were never adopted by my father, Richard Horace Browne, II.

Further the affiant saith not.

  
Richard Horace Browne, III

Sworn to and subscribed to before me  
this 21 day of December, 1996.

  
Notary Public  
4-28-97

Inst # 1997-21292

07/08/1997-21292  
10:15 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MCD 8.50



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