

THIS INSTRUMENT WAS PREPARED BY: MIKE T. ATCHISON, ATTORNEY AT LAW
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 State, personally appeared Kenneth L. Nivens, who after being by me first duly sworn, deposes and says on oath as follows:

My name is Kenneth L. Nivens, and I am over the age of 19 years and am familiar with the following facts:

I am a long time resident of the Chelsea community and am familiar with the property owned by Tabitha A. Kendrick, adjacent to the K Springs Church of God, more particularly described as follows:

All that part of the W 1/2 of the SW 1/4, Section 4, Township 20 South, Range 1 West, Shelby County, Alabama, lying North of Shelby County Highway #39 and Northeast of Shelby County Highway #36. LESS AND EXCEPT 20 acres, more or less, known as the John G. Reese home place described in Deed Book 223, Page 515, in the Probate Records of Shelby County, Alabama. LESS AND EXCEPT that portion deeded to B. C. Kendrick by deed recorded in Deed Book 285, Page 547 in the Probate Records of Shelby county, Alabama. LESS AND EXCEPT ten acres deeded to K. Springs Church of God. LESS AND EXCEPT the cemetery lot.

I have been shown a copy of the Last Will and Testament of Tabitha A. Kendrick, which leaves "the home place and two acre site" in trust to Maxine Kendrick Graham, during her natural life and upon her death to Joyce M. Shirley.


I have also been shown a copy of the Tax Assessors map of the Tabitha Kendrick property. "The home place and two acre site" is a parcel of land lying just North of Shelby County Highway 39, lying East of the John Reese property and lying West of K Springs Church of God property. There has been a mobile home on this property for many years and this mobile home was "the home place and two acre site" referred to in the Last Will and Testament of Tabitha A. Kendrick. I know that Tabitha A. Kendrick lived on this property until her death, and that her daughter, Maxine Kendrick Graham continued to live on this property until her death in 1981. I also know that Joyce Shirley has been in possession of this property since the death of Maxine Kendrick Graham. I have never known of any person challenging the ownership of Joyce M. Shirley to this property.

This affidavit is given to establish and clarify the property referred to as "the home place and two acre site" referred to in the Last Will and Testament of Tabitha A. Kendrick, and to further establish the ownership thereof by Joyce M. Shirley.

Further the affiant saith not.


Affiant

Sworn to and subscribed to before me
this 2nd day of November, 1999.


Notary Public

Inst # 1999-45235

11/02/1999-45235
01:40 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE