

AFFIDAVIT AS TO HEIRS

(SMALL ESTATES WHERE DECEDENT DIED INTESTATE AFTER 10/1/83 AND DEED IS WITHOUT SURVIVORSHIP)

STATE OF ALABAMA  
COUNTY OF Shelby

ON THE 26<sup>th</sup> DAY OF March, 2001, BEFORE ME PERSONALLY APPEARED  
Carlton J. Davis, PERSONALLY KNOWN TO ME AND BY ME FIRST  
DULY SWORN ON OATH DID SAY AS FOLLOWS:

AFFIANT(S) IS/ARE FAMILIAR WITH THE FAMILY HISTORY OF ADA HOWARD,  
DECEASED, WHO WAS THE OWNER OF THE FOLLOWING PROPERTY:

SEE ATTACHED EXHIBIT "A"

AND THAT SAID DECEDENT DIED 8-3-97, AND THAT THE PLACE OF  
RESIDENCE AND HOMESTEAD AT THE TIME OF DEATH WAS AS FOLLOWS:

AND AFFIANT(S) FURTHER STATES THAT DECEDENT LEFT SURVIVING THE FOLLOWING  
PERSONS, AS HEIRS OR OTHERWISE INTERESTED PARTIES TO THE ESTATE AND THAT THE  
FOLLOWING IS A TRUE AND CORRECT ACCOUNT OF ALL MARRIAGES, CHILDREN AND  
DIVORCES OF THE DECEDENT:

WIDOW/WIDOWER: NONE

DIVORCED WIFE OR HUSBAND: NONE

CHILDREN: VIRGIE WHITFIELD (Deceased)  
AGNES WHITFIELD

ADOPTED CHILDREN: NONE

DESCENDANTS OF DECEASED CHILDREN: HOY WHITFIELD

OTHER: NONE

THE AFFIANT(S) AFFIRMS THAT THE FAIR MARKET VALUE OF THE DECEDENT'S ESTATES  
WAS NOT GREATER THAN \$ \_\_\_\_\_ WHICH INCLUDES THE FOLLOWING REAL  
AND PERSONAL PROPERTY:(VALUES & BALANCES AS OF THE DATE OF BIRTH).

REAL ESTATE APPRAISED VALUE:

MORTGAGES DUE AT DATE OF DEATH: none

STOCKS, BONDS, MORTGAGE OR NOTES PAYABLE AND NEGOTIABLE INSTRUMENTS:

OTHER:

AFFIANT(S) STATES THAT THE ABOVE RECITED ASSETS ARE THE ENTIRE ESTATE POSSESSED  
BY THE DECEDENT AT THE TIME OF DEATH AND THAT THE PURPOSE OF THIS AFFIDAVIT IS  
TO DETERMINE THE HEIRS OF THE DECEDENT AS IS SET OUT IN THE CODE OF  
ALABAMA 43 8 40 TO 43 8 42 AND 43 8 44.

AND AFFIANT(S) FURTHER STATES THAT DECEDENT LEFT NO OTHER CHILDREN OR  
ADOPTED CHILDREN OR CHILDREN DESCENDANTS OF DECEASED CHILDREN OR ADOPTED  
CHILDREN.

AND THAT ALL OF THE ABOVE PARTIES ARE OVER THE AGE OF NINETEEN AND COMPETENT  
EXCEPT THE FOLLOWING:

NAME AND AGE OF MINORS: NONE

NAME AND AGE OF NON-COMPETENT: NONE

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08:22 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 CJ1 17.00

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AND AFFIANT(S) FURTHER STATE THAT DECEDENT (X) LEFT A WILL ( ) DID NOT LEAVE A WILL.

AND THAT ALL DEBTS AGAINST THE ESTATE (X) HAVE ( ) HAVE NOT BEEN PAID.

AFFIANT(S) MAKE THIS AFFIDAVIT TO INDUCE HOMECOMINGS FINANCIAL NETWORK, INC. TO ISSUE A MORTGAGE/OWNER TITLE POLICY STATING THAT IS/ARE THE TRUE OWNERS OF THE PROPERTY DESCRIBED ABOVE.

AFFIANT(S) ACKNOWLEDGES THAT THIS DOCUMENT IS TO BE USED TO DETERMINE OWNERSHIP OF REAL PROPERTY AND MAY BE USED IN A COURT OF LAW TO DETERMINE OWNERSHIP AND MAY BE RECORDED FOR RECORD IN THE PROBATE RECORDS.

Carlton J. Davis  
SIGNATURE OF AFFIANT

\_\_\_\_\_  
SIGNATURE OF AFFIANT

20545 HWY. 55 35147  
Address

\_\_\_\_\_  
Address

Sierra AL-35147

\_\_\_\_\_

STATE OF ALABAMA  
COUNTY OF Jefferson  
Alabama State at Large

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, HEREBY CERTIFY THAT Carlton J. Davis WHOSE NAME(S) IS/ARE SIGNED TO THE FOREGOING INSTRUMENT, AND WHO IS/ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENTS OF THE INSTRUMENT, THEY EXECUTED THE SAME VOLUNTARILY ON THE DAY THE SAME BEARS DATE.

GIVEN UNDER MY HAND AND SEAL THIS 26th DAY OF March, 2001.

Kim Crawford  
NOTARY PUBLIC

Kim Crawford, Alabama State at Large

MY COMMISSION EXPIRES: My Commission Expires May 25, 2004

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Commence at a 5/8" rebar set at the SE corner of the Northwest ¼ of the Northwest ¼ of Section 8, Township 18 South, Range 2 East, Shelby County, Alabama; thence north 0 degrees 42 minutes 24 seconds east assumed along the east line of said ¼-1/4 396.51 feet to a 5/8" rebar set at the point of beginning; thence continue north 0 degrees 42 minutes 24 seconds east along said line 261.52 feet to a 5/8" rebar set; thence north 88 degrees 47 minutes 15 seconds west 83.01 feet to a 5/8" rebar set on the easterly right of way line of Pumpkin Swamp Road (County Highway 55), being the point of curvature of a non-tangent curve, concave to the southeast, having a radius of 712.97 feet a central angle of 19 degrees 19 minutes 56 seconds, an a chord of 239.43 feet bearing south 35 degrees 26 minutes 32 seconds west; thence southwest along said curve and line 240.57 feet to a 5/8" rebar set; thence south 72 degrees 40 minutes 28 seconds east, 228.99 feet to the point of beginning.

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