

THIS INSTRUMENT WAS PREPARED BY: MIKE T. ATCHISON, ATTORNEY  
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STATE OF ALABAMA  
SHELBY COUNTY

AFFIDAVIT

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

My name is MARGARET ANN HORTON, and I am over the age of 21 years, and am familiar with the following facts:

Jesse N. Merrell was the owner of the following described property, to-wit:

Beginning at the NE corner of the SW 1/4, Section 1, Township 24 North, Range 15 East, run South along the East boundary line of said SW 1/4 a distance of 425.0 feet to the point of beginning of herein described parcel of land; thence turn 56 degrees 40 minutes right and run 828.64 feet; thence turn 107 degrees 25 minutes left and run 289.76 feet; thence turn 90 degrees 03 minutes left and run 727.9 feet; thence turn 33 degrees 12 minutes left and run 75.0 feet to the point of beginning of herein described parcel of land.

LESS AND EXCEPT:

From the Northeast corner of the SW 1/4 of Section 1, Township 24 North, Range 15 East, run Southerly along the East boundary line of said SW 1/4 of Section 1, Township 24 North, Range 15 East for 570.0 feet; thence turn an angle of 33 degrees 12 minutes to the right and run Southwesterly 442.9 feet to the point of beginning of the land herein described and conveyed; thence continue Southwesterly along the last said course for 285.0 feet; thence turn an angle of 90 degrees 03 minutes to the right and run Northwesterly 75.0 feet; thence turn an angle of 89 degrees 57 minutes to the right and run Northeasterly 315.05 feet; thence turn an angle of 111 degrees 50 minutes to the right and run Southeasterly 80.79 feet, more or less, to the point of beginning.

Jesse N. Merrell died on or about the \_\_\_\_ day of September, 1980, leaving his daughter, Jessie Mae Merrell Pearson as his sole surviving heir. He left a will, a copy of which is attached hereto, leaving a life estate interest only to his daughter, Jessie Mae Merrell Pearson, with the remainder to his grandchildren, Jesse Ermon Pearson and William Boyce Pearson; however the will has never been probated nor will it be probated.

Jessie Mae Merrell Pearson, the sole surviving heir of Jesse N. Merrell, died intestate on June 10, 2002, leaving as her surviving heirs at law, her sons, Jesse Ermon Pearson and William Boyce Pearson. There were no other children ever born to Jessie Mae Merrell Pearson, and her husband, Boyce Pearson, predeceased her, having died on or about the 22nd day of February, 2001.

Jesse N. Merrell, Jesse Mae Merrell Pearson, and now Jesse Ermon Pearson and William Boyce Pearson have been in open, continuous, and adverse possession of the above described property, since it was deeded to Jesse N. Merrell in 1966, and have paid taxes on the same, and used the property as a second residence for many years. There has never been any claim by any other party in and to the above captioned lands.

Further the affiant saith not.

Margaret Ann Horton  
MARGARET ANN HORTON

Sworn to and subscribed to before me  
this 12th day of July, 2002.

Jesse Ermon Pearson  
Notary Public