

S-02-10686

THIS INSTRUMENT WAS PREPARED BY: MIKE T. ATCHISON, ATTORNEY AT LAW  
P.O. BOX 822  
COLUMBIANA, ALABAMA 35051

STATE OF MISSISSIPPI  
COUNTY OF Forest

AFFIDAVIT

20030107000014150 Pg 1/1 11.00  
Shelby Cnty Judge of Probate, AL  
01/07/2003 12:46:00 FILED/CERTIFIED

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

My name is IRIS HELEN MILLS, and I am over the age of 21 years, and familiar with the following property, to-wit:

PARCEL I:  
Commence at the Southwest corner of the Southwest quarter of Southwest quarter of Section 26, Township 20 South, Range 4 West, Shelby County, Alabama and run thence North 00 degrees 00 minutes 00 seconds East along the West line of said quarter-quarter a distance of 472.49 feet to a found rebar corner and the point of beginning of the property, Parcel -1, being described; thence run North 89 degrees 45 minutes 52 seconds East a distance of 472.64 feet to a found rebar corner; thence run South 00 degrees 00 minutes 52 seconds West a distance of 379.78 feet to a found rebar corner on the northerly margin of Shelby County Highway No. 13 in a curve to the left having a central angle of 09 degrees 01 minutes 10 seconds and a radius of 2,825.00 feet; thence run Northeasterly along the arc of said right of way curve an arc distance of 461.14 feet to a found rebar corner; thence run North 34 degrees 38 minutes 52 seconds West a distance of 213.12 feet to a found rebar corner; thence run North 00 degrees 20 minutes 04 seconds East a distance of 475.19 feet to a set rebar corner; thence run North 89 degrees 39 minutes 45 seconds West a distance of 784.70 feet to a found rebar corner; thence run South 00 degrees 00 minutes 00 seconds East along the West line of same said quarter-quarter a distance of 529.55 feet to the point of beginning. According to the survey of Joseph E. Conn, Jr., dated November 7, 2002.

I sold the above described property to Ray Smith and Ethel L. Smith in 1997. It has been brought to my attention that there is a tax title on this property, which creates a conflict with the title that I gave to the Smiths. I received title to this property from my mother, Margaret Martin, in 1993. This property has been in my family since around 1944, my father having purchased the property about that time. My father and my mother have been in possession of the property since that time, and I have no knowledge of any other person that was ever in possession of this property.

It has been brought to my attention that the names on the tax title are Charles Hargrove, H.D. Jenkins, Elsie Cowart, and Mattie Coggin. During the term of the ownership by my father, I have never known of any persons by these names to have claimed this property, or any adjoining property, my family having been in open, notorious, continuous possession, since at least 1944.

Further the deponent saith not.

IRIS HELEN MILLS  
IRIS HELEN MILLS

Sworn to and subscribed to before me  
this 27th day of December, 2002.

Cecil A. Dunn  
Notary Public

My commission expires: \_\_\_\_\_

MY COMMISSION EXPIRES  
NOVEMBER 8, 2006

WITNESS

Jessie Pruitt

Shirley Sells