

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

STATE OF ALABAMA
SHELBY COUNTY

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

My name is Sam T. Gallups and I am familiar with the following described property, to-wit:

Commence for the point of beginning at the Northwest corner of the Southeast Quarter of the Southwest Quarter of Section 10, Township 21 South, Range 1 East, Shelby County, Alabama; run thence South 00 degrees 45 minutes 59 seconds West along the West line of said Southeast Quarter for 779.77 feet to the Northwestern right of way of County Road 7; run thence North 60 degrees 55 minutes 15 seconds East along said right of way for 176.77 feet; run thence in a Northeasterly direction along said right of way and a radial curve to the left having a radius of 1410.0 feet for an arc distance of 786.32 feet; run thence North 28 degrees 58 minutes 06 seconds East along said right of way for 115.73 feet; run thence North 83 degrees 31 minutes 17 seconds West along an existing fence for 58.3 feet; run thence North 06 degrees 11 minutes 46 seconds East along an existing fence for 17.0 feet; run thence North 87 degrees 27 minutes 14 seconds West along an existing fence for 250.29 feet to a point on the North line of the above mentioned Southeast Quarter of Southwest Quarter; run thence North 88 degrees 53 minutes 26 seconds West along said North line of the Southeast Quarter of Southwest Quarter for 442.37 feet to the point of beginning. Said land being in the Southeast Quarter of the Southwest Quarter of Section 10, Township 21 South, Range 1 East, Shelby County, Alabama.

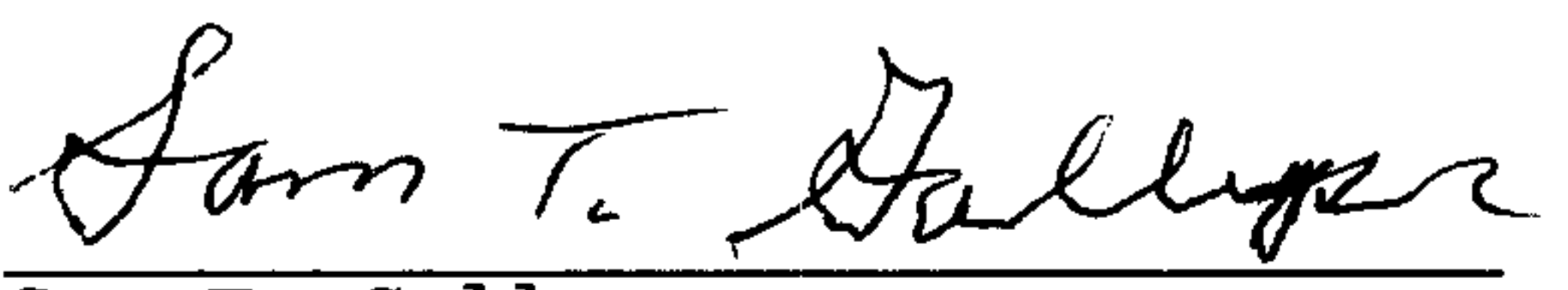
I purchased above described property as part of a larger parcel in July, 1961, and went into immediate possession thereof. John Crowson, from whom I purchased the property, showed me the property line as being at the location of the fence as shown on the survey of Joe E. McKinley, RLS #12362, dated March 22, 1995, which is attached as Exhibit "A". Mr. Bill Jennings constructed a portion of the fence, which has been in place for more than 30 years. Mr. Jennings used a transit and established a line from the "iron found", which lies West of the NW corner of the SE 1/4 of SW 1/4 of Section 10, Township 21 South, Range 1 East, as shown on survey described above. Mr. Jennings erected a fence based on his measurements, the fence being the same fence as shown on said survey. Bill Jennings, Jesse Barnes, who owns property North of the described lands, and I agreed that the "iron found" as shown on the above mentioned survey was the true property corner. This has been accepted for more than 30 years.

From 1961 to 1995, I kept horses and cows on the property. The Northerly portion of the fence has been repaired and replaced by me around 1988. For the past 30 years, there has been no dispute as to the boundary between myself and Bill Jennings, and the fence has been the accepted line. The current owner of the property West of the fence is Mike Austin.

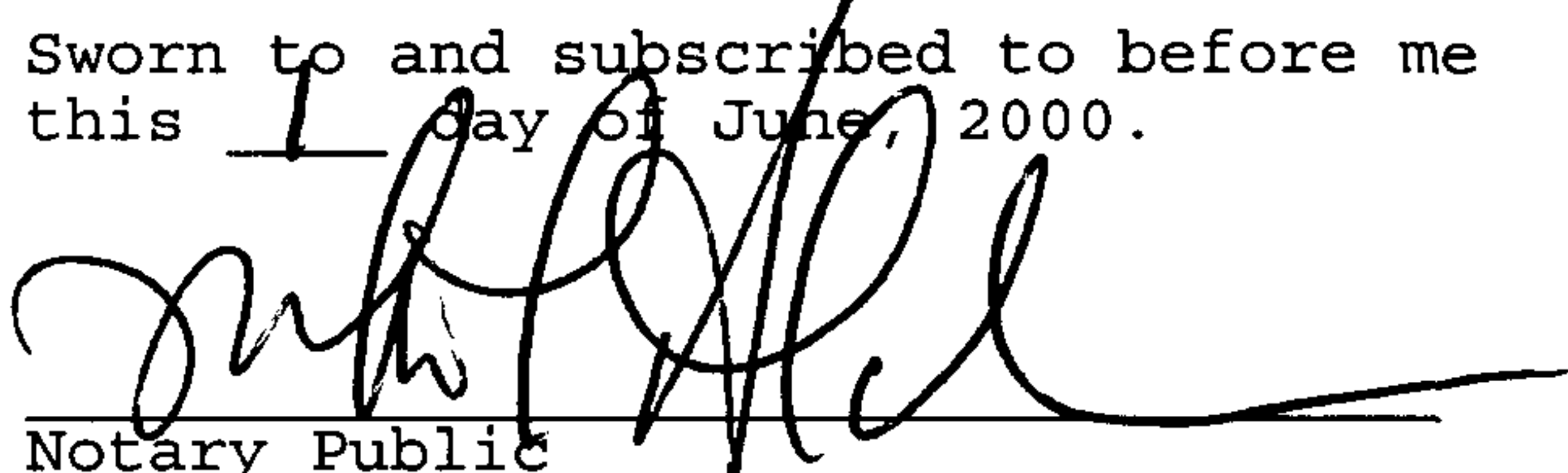
I subsequently sold this property to my daughter, Wanda Gaut, by two separate conveyances. She erected a house on a portion of the property in 1973, and I conveyed the remainder of the property to her in 1995. During her ownership and possession of the property, she has kept horses inside the fence for the past 28 years.

The purpose of this affidavit is to establish the fence as shown on the above described survey as the West property line.

Further the affiant saith not.


Sam T. Gallups

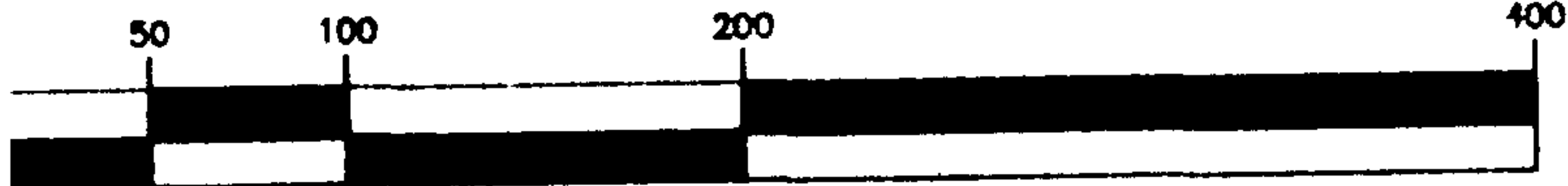
Sworn to and subscribed to before me
this 1 day of June, 2000.


Notary Public

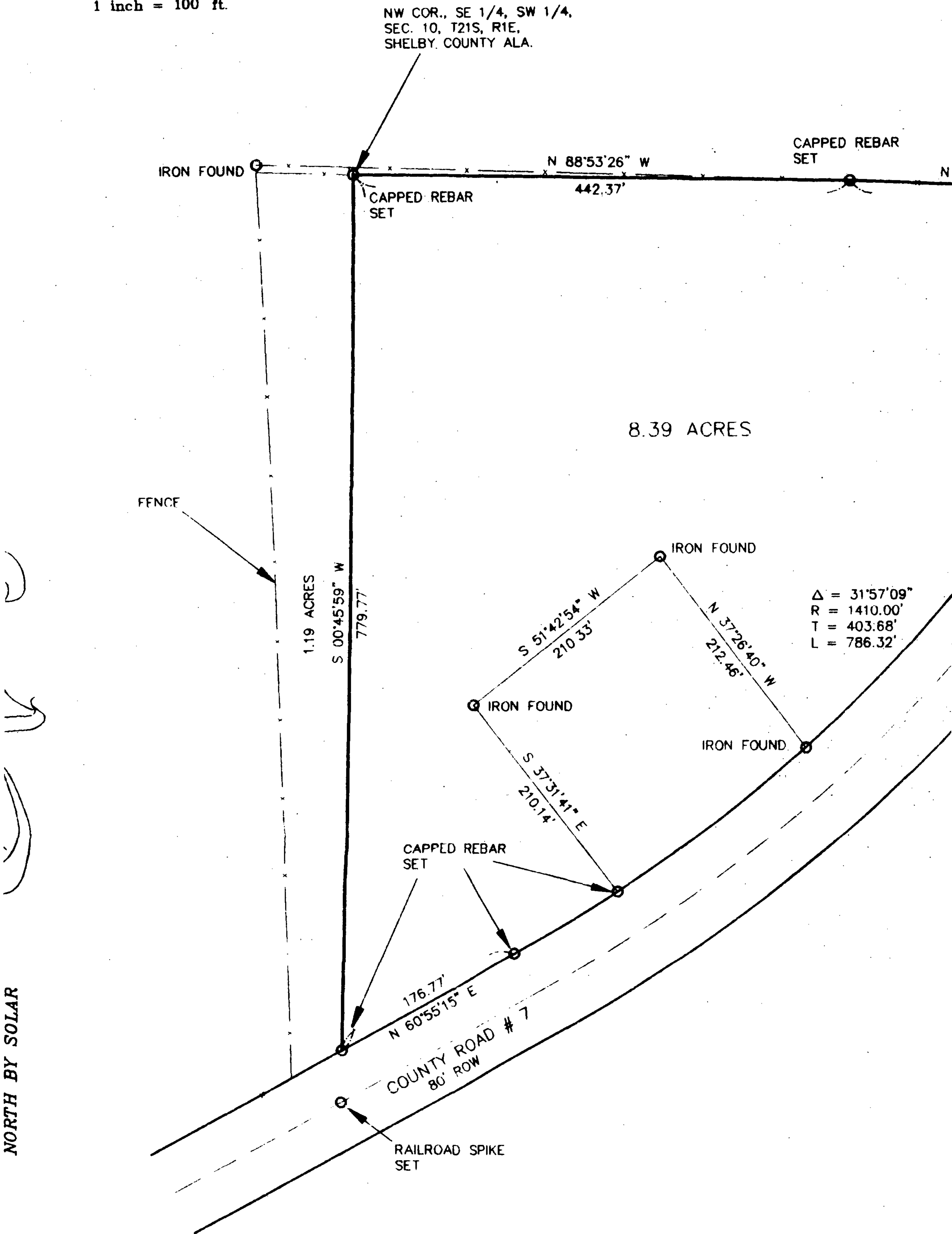
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GRAPHIC SCALE

EXHIBIT "A"



(IN FEET)
1 inch = 100 ft.




CERTIFICATION

Kinley, a Registered Land Surveyor in the State of Alabama, state that this is a
actual field survey performed by me on March 18, 1995, on the following
property:

ence for the Point of Beginning at the Northwest corner of the Southeast
r of the Southwest Quarter of Section 10, Township 21 South, Range
Shelby County, Alabama; run thence South 00 Degrees 45 Minutes 59
Is West along the West line of said Southeast Quarter for 779.77 feet
northwestern right-of-way of County Road 7; run thence North 60
s 55 Minutes 15 Seconds East along said right-of-way for 176.77 feet;
ence in a northeasterly direction along said right-of-way and a radial curve
left having a radius of 1410.0 feet for an arc distance of 786.32 feet;
ence North 28 Degrees 58 Minutes 06 Seconds East along said right-of-
r 115.73 feet; run thence North 83 Degrees 31 Minutes 17 Seconds
along an existing fence for 58.3 feet; run thence North 06 Degrees 11
s 46 Seconds East along an existing fence for 17.0 feet; run thence
87 Degrees 27 Minutes 14 Seconds West along an existing fence for
1 feet to a point on the north line of the above mentioned Southeast
r; run thence North 88 Degrees 53 Minutes 26 Seconds West along said
ast Quarter for 422.37 feet to the Point of Beginning. Said land being
Southeast Quarter of the Southwest Quarter of Section 10, Township 21
Range 1 East, Shelby County, Alabama, and containing 8.39 acres.

nforms to or exceeds the requirements of the Minimum Technical Standards for
of Land Surveying in the State of Alabama as approved on October 26, 1990.

nd day of March, 1995.


Kinley
gistration Number 12362