

THIS INSTRUMENT WAS PREPARED BY: MIKE T. ATCHISON, ATTORNEY AT LAW  
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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 Carolyn Hain, who after being by me first duly sworn, deposes, and says on oath as follows:

My name is Carolyn Hain, and I am over the age of 21 years, and am familiar with the following facts:

During their lifetimes, P.A. Garrett and Myrtle K. Garrett owned the following described property, to-wit:

PARCEL I:

The North 1/2 of NW 1/4 of Section 9, Township 24 North, Range 13 East, Shelby County, Alabama. LESS AND EXCEPT that portion conveyed to Richard and Faye Faust by deed recorded in Deed Book 306, Page 172, in Probate Office.

PARCEL II:

The West 1/2 of NE 1/4 and the SE 1/4 of NW 1/4, Section 9, Township 24 North, Range 13 East, Shelby County, Alabama.

PARCEL III:

The SW 1/4 of the SW 1/4, Section 4, Township 24 North, Range 13 East, Shelby County, Alabama.

Also, a 10 acre tract in the SE 1/4 of the SW 1/4 of Section 4, Township 24 North, Range 13 East, being in the Southwest portion of said 1/4-1/4 Section, said 10 acres running 2 acres East and West and 5 acres North and South.

P.A. Garrett, who owned an undivided one-half interest in the above described property, died testate on or about the 6th day of May, 1976, and his will is probated as Probate Docket 20-10, in the Probate Office of Shelby County, Alabama. The will vests title in Richard C. Faust, as Testamentary Trustee for the benefit of the children and grandchildren of said P.A. Garrett. Subsequent to that time, Richard C. Faust has passed away, and there is no provision in said will for a successor Trustee.

The children and grandchildren of P.A. Garrett are as follows: Faye M. Faust n/k/a Faye Harrison was the only child of P.A. Garrett, having been adopted by P.A. Garrett and Myrtle K. Garrett in Montgomery County, Alabama, in 1953. David Pierce Faust is the only grandchild of P.A. Garrett, having been adopted by Faye M. Faust and Richard C. Faust, in Dale County, Alabama, in 1973. There were no other children or grandchildren born to or adopted by P.A. Garrett.

Myrtle K. Garrett, who owned an undivided one-half interest in the above described property, died intestate on or about the 22nd day of July, 2004. There has been no administration of her estate, nor is one contemplated. Myrtle K. Garrett only had one child, Faye M. Faust n/k/a Faye Harrison, who was adopted by Myrtle K. Garrett and P.A. Garrett, in Montgomery County, Alabama, in 1953. There were no other children born to or adopted by Myrtle K. Garrett.

It has been brought to my attention that there is an old Tax Deed from the State of Alabama to A.C. Simpson, dated December 10, 1958, recorded in Deed Book 204, Page 279, in the Probate Office, which covers a portion of Parcel III described hereinabove. There has been no claim by any party other than P.A. Garrett, Myrtle K. Garrett, Faye M. Faust Harrison, or David Pierce Faust, as to caption lands and no other parties have been in possession of any or all of caption lands. P.A. Garrett, Myrtle K. Garrett, Fay M. Faust Harrison, and David Pierce Faust, have been in actual, open, continuous, hostile, adverse, and peaceable possession of the above described property for the last 76 years.

This affidavit is given to establish the ownership of the above described property.

Further the affiant saith not.

Carolyn Hain  
Carolyn Hain

Sworn to and subscribed to before me  
this 6 day of December, 2004.

Allen Bruce Jones  
Notary Public  
My commission expires:

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Oct 4, 2008  
BONDED THRU NOTARY PUBLIC