


# AFFIDAVIT

  
20050128000043210 Pg 1/2 14.00  
Shelby Cnty Judge of Probate, AL  
01/28/2005 09:13:00 FILED/CERTIFIED

STATE OF ALABAMA  
COUNTY OF SHELBY

On this day before me, the undersigned Notary Public in and for said county and state, personally appeared the Affiant, Deann Livingston, who after being duly sworn, did depose as follows:

I am Deann Livingston and a Vice-President of Cahaba Title, Inc., 1900 Indian Lake Drive, Birmingham, Alabama, 35244. This affidavit is given concerning the following described land:

A parcel of land located in the North  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of Section 28, Township 20 South, Range 3 West, Shelby County, Alabama; being more particularly described as follows:

From the Northeast corner of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 28, Township 20 South, Range 3 West, run Southerly along the East boundary line of the said NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 28, Township 20 South, Range 3 West for 383.38 feet to the point of beginning of the land herein described; thence turn an angle of 90 deg. 48 min. 15 sec. to the right and run Westerly 266.81 feet; thence turn an angle of 84 deg. 52 min. to the left and run Southwesterly 263.36 feet; thence turn an angle of 95 deg. 07 min. 20 sec. to the left and run Easterly 210.0 feet; thence turn an angle of 84 deg. 14 min. 20 sec. to the left and run Northeasterly 158.17 feet; thence turn an angle of 84 deg. 14 min. 20 sec. to the right and run Easterly 210.0 feet; thence turn an angle of 85 deg. 49 min. 20 sec. to the left and run Northeasterly 105.4 feet; thence turn an angle of 94 deg. 11 min. 20 sec. to the left and run Westerly 153.19 feet, more or less, to the point of beginning.

Also, Commence at the Northeast corner of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 28, Township 20 South, Range 3 West, and run Southerly along the East boundary line of said NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  a distance of 383.38 feet to a point on the North boundary of the property now owned by Bill Harris and wife; thence run Westerly along the North boundary of said Harris lot a distance of 165 feet, said point being a SW corner of the W. F. Bell property; thence run Northerly along the West boundary of said Bell property a distance of 56 feet to the West boundary of a road known as "Pine Ridge Road"; thence run Easterly along the meanderings of said road to its intersection with the West boundary of Shelby County Road No. 17; thence run Southerly along the West boundary of said Shelby County Road No. 17 a distance of 24 feet to a point on the North boundary of property now belonging to Bill Harris and wife; thence run Westerly along the North boundary of said Harris property 153.19 feet to the point of beginning.

Less and except any portion of the land lying with road(s) and/or road right(s)-of-way(s). All being situated in Shelby County, Alabama.

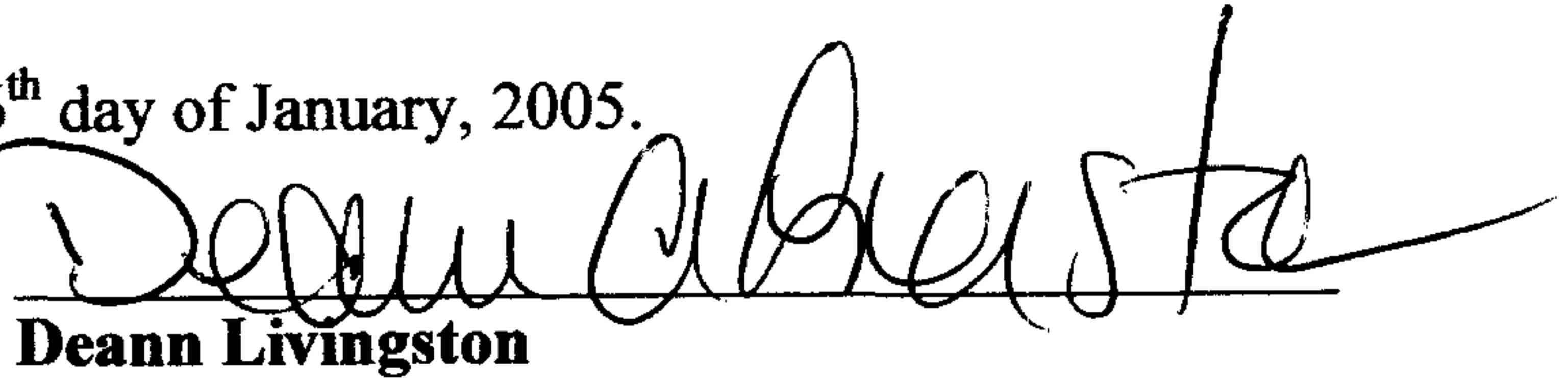
On October 25, 2004, a deed was recorded from Billy D. Harris and Phyllis M. Harris to Clayton Bailey Properties, LLC as recorded December 17, 2004 by Inst. # 20041217000689200 in the Probate Office of Shelby County, Alabama.

Cahaba Title, Inc.

Said deed did not recite the marital status of the grantors, nor did it recite that the property was not the homestead of said grantors.

I am giving this affidavit today to show that Billy D. Harris and Phyllis M. Harris were a married couple at the time of the conveyance and are married couple at the time of the execution of this affidavit.

Witness my hand and seal this 26<sup>th</sup> day of January, 2005.

  
**Deann Livingston**

Sworn to and subscribed before me on 26<sup>th</sup> day of January, 2005.

\_\_\_\_\_  
Notary Public

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

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