


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


20050210000067360 Pg 1/3 17.00
Shelby Cnty Judge of Probate, AL
02/10/2005 13:57:00 FILED/CERTIFIED

STATE OF ALABAMA
SHELBY COUNTY

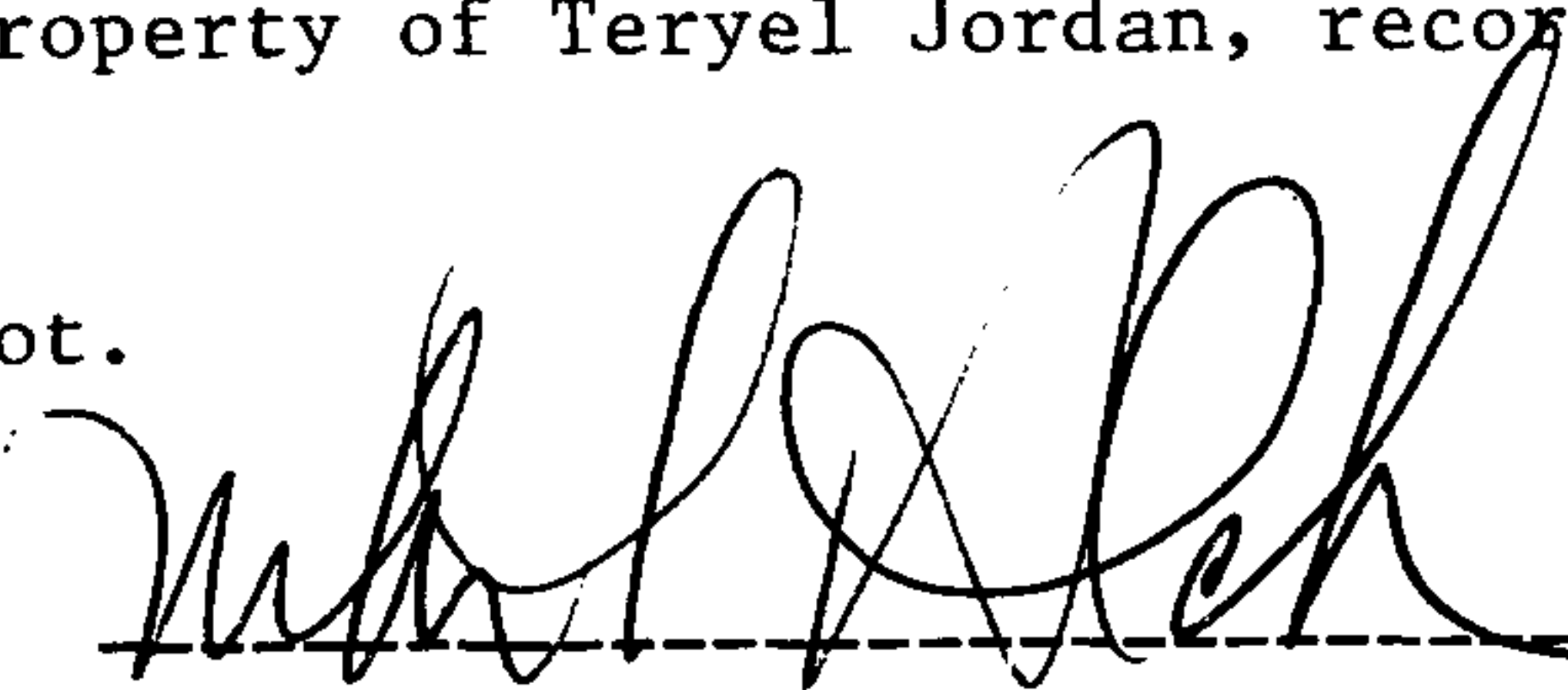
AFFIDAVIT

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

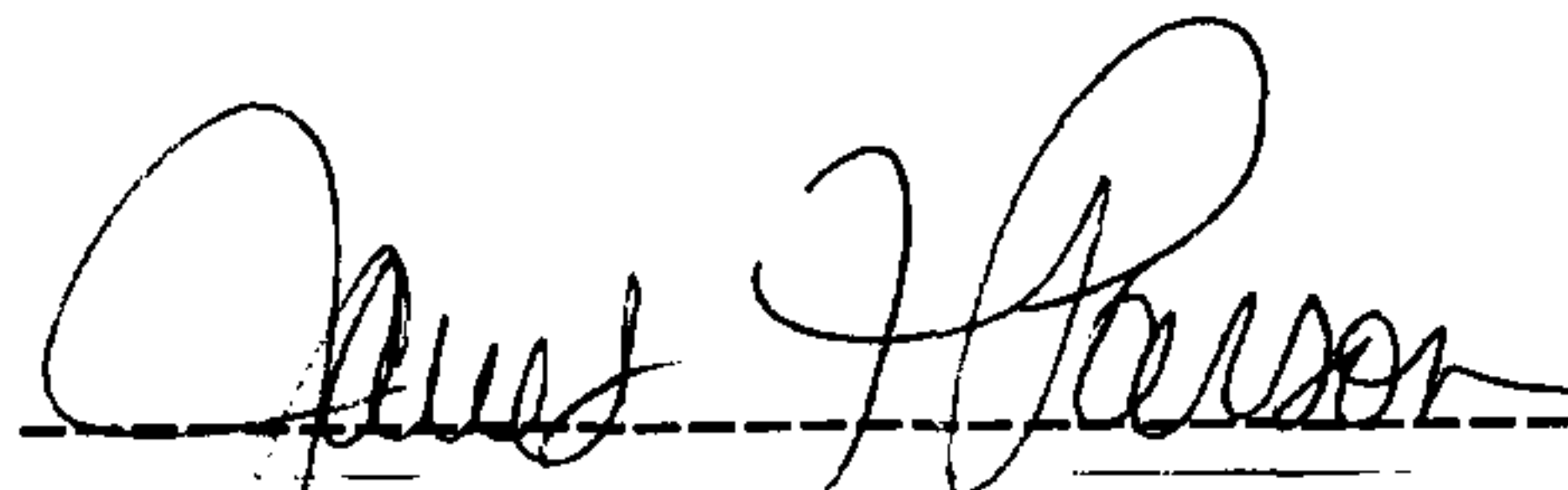
My name is Mike T. Atchison, and I am a practicing attorney and I am familiar with the following facts:

I obtained the attached copy of the Will of Richard Porter from the law firm of Wallace, Ellis, Fowler & Head. The Estate of said Richard Porter was probated some time ago, but the file is currently unavailable for viewing in the Probate Court of Shelby County, Alabama. This copy of the will is recorded solely for the purpose of filling a gap in the title of the property of Teryel Jordan, recorded simultaneously herewith.

Further, the affiant saith not.


Mike T. Atchison - Affiant

Sworn to and subscribed to before me
this 10th day of February, 2005.


Notary Public

My commission expires: 10-6-08

Last Will and Testament

OF

RICHARD L. PORTER

STATE OF ALABAMA)

SHELBY COUNTY)

I, RICHARD L. PORTER, of P. O. Box 26, Shelby, Alabama, being of sound mind and disposing memory, do hereby make, publish and declare this my Last Will and Testament, and I hereby revoke all other or former wills or testamentary dispositions which might have been made by me at any time heretofore:

FIRST: I will and direct that my just debts and funeral expenses be paid as soon after my decease as may be convenient.

SECOND: I will, devise and bequeath all my property and estate of every kind and character, real, personal, or mixed, wheresoever situate, of which I may die seized and possessed, or to which I may be entitled at the time of my decease, to my beloved wife, STACIA FAY PORTER.

THIRD: In the event that the death of my said wife should occur prior to my death, or at approximately the same time as a result of a common disaster or calamity, I will, devise and bequeath all of my property and estate to my children, RACHEL P. RICHEY and RICHARD C. PORTER, share and share alike, per stirpes.

In the event either of my above named children shall predecease me leaving no lineal descendants, then I will and direct that the share of such predeceasing child shall go to the surviving child, per stirpes.

FOURTH: I nominate and appoint my wife, STACIA FAY PORTER, to be the Executrix of this my Last Will and Testament. However, in the event my said wife shall predecease me or be unable or unwilling to serve for any reason, then I nominate and appoint Rachel P. Richey and Richard C. Porter to be the co-executors of this, my Last Will and Testament. In the event either of the above named co-executors should decline to serve as the co-executor or be unable to serve as such co-executor, I do hereby nominate and appoint the other of my said named co-executors to serve as the sole executor hereof. It is my will and desire that my executrix, executor or co-executors, regardless of which of those named above shall so serve, shall not be required to give any bond or security for the performance of their duties as such executrix, executor, or co-executors or to account to any court for her, his, or their acts or doings as such executrix, executor, or co-executors, and that she, he or they are hereby expressly exempted from filing any inventory or

Richard L. Porter

making any report of final settlement of my estate. Said executrix, executor, or co-executors shall have full power, without the necessity for any order from any court, to sell (for payment of debts and all other purposes), exchange, lease or encumber all or any portion of my estate in such manner and upon such terms and conditions as he, she or they may approve.

FIFTH: In the event my death and the death of my said wife, Stacia Fay Porter, shall occur simultaneously, or approximately so, under circumstances causing doubt as to which of us survives the other, then I direct that it be presumed that my said wife survived me.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal on this the 17 day of ~~March~~^{OCT}, 1980.

Richard L. Porter (SEAL)

SIGNED, SEALED, PUBLISHED and DECLARED by the above named RICHARD L. PORTER, as and for his Last Will and Testament, in the presence of us, who, in his presence, and in the presence of each other, have hereto set our hands as witnesses.

Nancy K. Farmer
ADDRESS: Columbiana, Alabama

Barbara Connady
ADDRESS: Columbiana, Alabama