

AFFIDAVIT AS TO HEIRS, CREDITORS AND INDEMNITY AGREEMENT  
STATE OF ALABAMA )

COUNTY OF SHELBY)

On this 2nd day of May, 2005, before me personally appeared to me THOMAS W SMITH, personally known, who being by me duly sworn, on oath did say that Affiant is familiar with the family history of Annie Lee Durrett, deceased, and that he/she was personally well acquainted with the above named decedent, during his/her lifetime having known him/her for 55 years, and that Affiant bears the following relationship to the said decedent, who was the owner of the following property:

LOT 8, BLOCK 1, ACCORDING TO THE SURVEY OF W. J. MAXWELL SUBDIVISION, AS RECORDED IN MAP BOOK 3, PAGE 71, IN THE PROBATE OFFICE OF SHELBY COUNTY, ALABAMA.

SITUATED IN SHELBY COUNTY, ALABAMA.

203 2nd Avenue SW, Alabaster, Alabama 35007

Relationship: FRIEND

And that said decedent died on the 1st day of February, 2002, and that the place of residence and homestead at the time of death was as follows:

203 2nd AVE SW ALABASTER AL 35007

And Affiant further states that deceased left surviving the following persons, as heirs or otherwise interested in the estate:

Widow or Widower: N/A

Divorced wife or husband: N/A

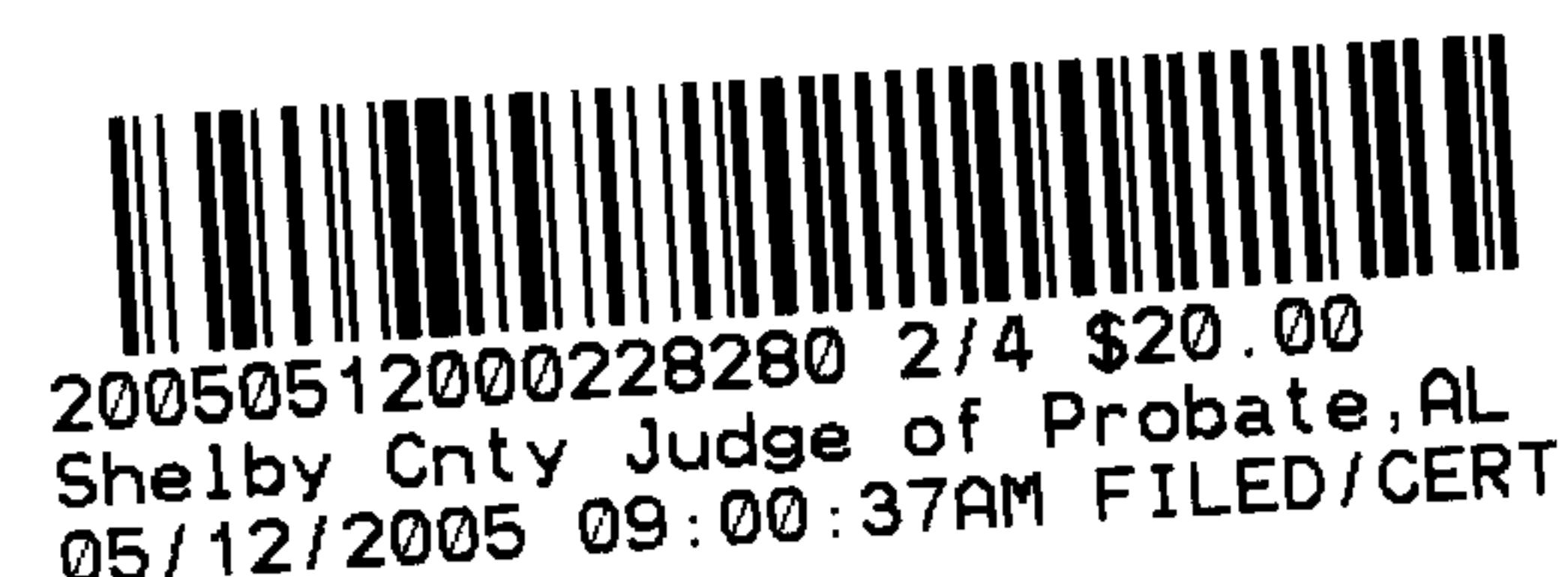
Children: William E. Durrett, Robert L. Durrett, James L. Durrett, Troy T. Durrett, and Martha D. Langston

Adopted Children: N/A

Descendants of deceased children: N/A

RR&FLL MOL JTD. W&V

Parents: N/A



Grandparents, or next of kin: N/a

And Affiant further states that decedent left no other children or adopted children or descendants of deceased children or adopted children.

And that all of the above parties are over the age of nineteen and competent except the following:

Name and age of minors: N/A

Name and age of non-competents: N/A

And said deceased left a will/did not leave a will.

And that all funeral, hospital, and other debts against estate have/have not been paid.

The purpose of this affidavit is to induce Preferred Title Agency, Inc. and Stewart Title Guaranty Company to issue a Mortgagee's/Owner's Title Policy stating that BOB DURRETT BILL DURRETT TOMMIE DURRETT JIMMY DURRETT is/are the true and lawful owners of the property described above and to recite all debts of the decedent that are unpaid. MARATHA LANGSTON

Affiant further states that he/she was well acquainted with the business associates, family and near relatives of the decedent, and that he/she has personally reviewed the decedent's records, and has made inquiry of the decedent's family, business associates and other parties necessary for the determination of any unpaid creditors of the decedent.

Affiant further states that the following creditors were disclosed and that he/she has given personal notice to all of said creditors disclosed by said inquiry as indicated: (If none, state none)

Name of Creditors	Amount of Debt	Place Where Served	Method of Service	Date
Served				
1. N A				
2. N A				

R & JLD MDL JJD WED



3. N A

4. N A

Affiant further states that the above named creditors constitute all of the parties that have a claim against the estate of the decedent.

Affiant further states that this affidavit is given for the purpose of inducing Stewart Title Guaranty Company to give affirmative coverage over claims of creditors and to indemnify and hold harmless due to any loss or damage arising out of the claims of creditors and/or heirs, any Bonding Company, Preferred Title Agency, Inc., any closing agent, any mortgagee, any grantee, and Stewart Guaranty Company against claims of creditors or heirs against the estate of Annie Lee Durrett, deceased, on property owned by or previously owned by the decedent.

Affiant is an heir of the deceased and consents to the mortgage/sale of the subject property by BILLY DURRETT, TOMMIE DURRETT, JIMMY DURRETT, MARATHA LANGSTON (Mortgagor or Grantor), in an amount of \$                     , wherein KIMBERLY DELEON, is the mortgagee/grantee.

 SEAL  
AFFIANT

ADDRESS OF AFFIANT:

135 2<sup>nd</sup> AVE SW  
ALABASTER AL 35007

R L O J A D M D L J S D W E D

STATE OF ALABAMA  
JEFFERSON COUNTY

20050512000228280 4/4 \$20.00  
Shelby Cnty Judge of Probate, AL  
05/12/2005 09:00:37AM FILED/CERT

I, THE UNDERSIGNED, a Notary Public in and for said County and State,  
hereby Thomas W. Smith certify that  
whose  
name(s) is/are signed to the foregoing affidavit and who is/are known to me,  
acknowledged before me on this day that, being informed of the contents of the  
affidavit, he/she/they executed the same voluntarily on the day the same bears date.

Given under my hand this the 2nd day of May, 2005.

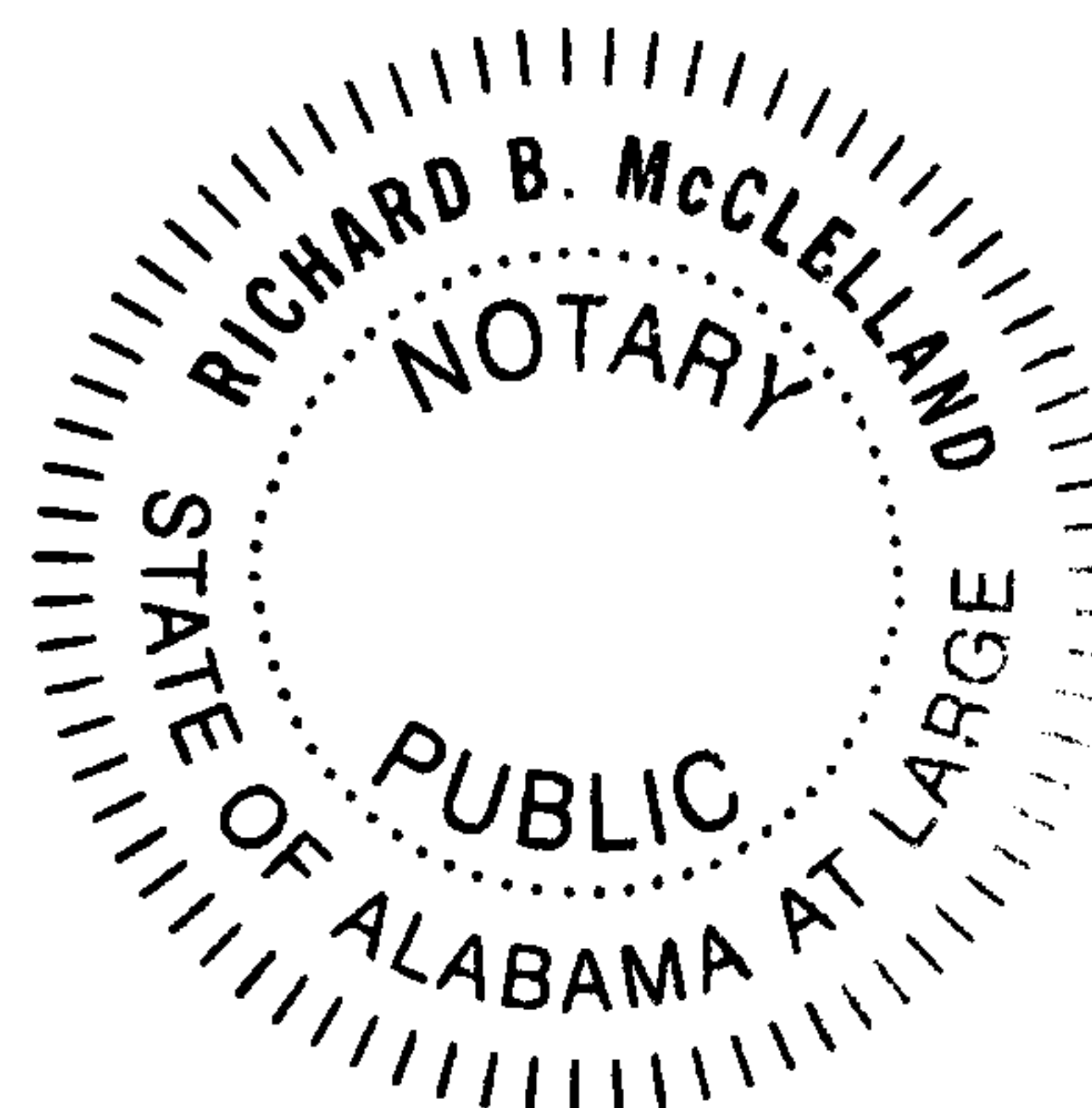
My Commission Expires:

Richard B. McClelland

Notary Public

**NOTARY PUBLIC STATE OF ALABAMA AT LARGE**  
**MY COMMISSION EXPIRES: OCT 21, 2006**  
**BONDED THRU NOTARY PUBLIC UNDERWRITERS**

6206



R & R JLD MDL J.J.D. W.E.E.