20060221000083820 1/3 $18.00
Shelby Cnty Judge of Probate,AL
02/21/2006 12:34:55PM FILED/CERT

AFFIDAVIT AS TO HEIRS

State of Alabama
County of Shelby

On this 18th day of January before me personally appeared, the undersigned to me personally known, the undersigned, who being by me duly sworn, on oath say that Affiant is familiar with the family history of Maudovene Patmon Cater, deceased, who was the owner of the following property:

See Attached Exhibit A for legal descriptions of 167 and 173 Smokey Road, Alabaster, Al. 35007.

And that said decedent died on 11/5/2004 at the age of 91, leaving no surviving spouse, and two children and that the place of residence and homestead, at the time of death, was 167 & 173 Smokey Road, Alabaster, Al 35007.

Decedent was in title to the above referenced property, by tenants in common deed along with Donna Cater Berry, her daughter.

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

Name of widow: NONE

Divorced wife or husband: NONE

Children: Donna Cater Berry and James Roger Cater aka James Rodger Cater

Adopted children: NONE

Descendants of deceased children: NONE

Parents: NONE LIVING

Grandparents: NONE LIVING

Next of kin: NONE LIVING

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

And that all of the above parties are over the age of nineteen years (or are eighteen and married) except the following:

Names of minors: NONE

And said deceased did not leave a will.

And that the debts against said estate have been paid.

June Elaine Wiggins
Affiant

Subscribed and sworn to before me the day and year above written.

Notary Public; My term expires: 08/29/06

Exhibit A

20060221000083820 2/3 $18.00
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Parcel II – 173 Smokey Road

Commence at the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 14; thence N 00 degrees 05 minutes 11 seconds W a distance of 327.31; thence S 54 degrees 20 minutes 11 seconds E a distance of 207.83; thence S 55 degrees 13 minutes 11 seconds E a distance of 4.58'; thence N 43 degrees 09 minutes 49 seconds E a distance of 396.52'; thence N 72 degrees 51 minutes 49 seconds E a distance of 144.00'; thence N 65 degrees 55 minutes 49 seconds E a distance of 207.63' to the point of beginning thence N 67 degrees 04 minutes 01 seconds E a distance of 138.71'; thence S 08 degrees 10 minutes 58 seconds W a distance of 256.81'; thence S 78 degrees 40 minutes 14 seconds W a distance of 118.93'; thence N 08 degrees 10 minutes 58 seconds E a distance of 178.60' to the point of beginning.

Also a 20' ingress and egress easement being more particularly described as follows: Commence at the Southeast corner of said Parcel I; thence S 70 degrees 34 minutes 58 seconds W a distance of 30.95' to the centerline of said 20' easement also being the point of beginning; thence N 3 degrees 48 minutes 59 seconds E a distance of 36.06'; thence N 11 degrees 24 minutes E a distance of 133.87' to the point of ending of said easement. Said easement lying 10' on each side of said centerline.

HOLLIMAN & SHOCKLEY
ATTORNEYS AT LAW
2491 PELHAM PARKWAY
PELHAM, ALABAMA 35124

Exhibit A

20060221000083820 3/3 $18.00
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Parcel I – 167 Smokey Road

Commence at the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 14; thence N 00 degrees 05 minutes 11 seconds W a distance of 327.31'; thence S 54 degrees 20 minutes 11 seconds E a distance of 207.83'; thence S 55 degrees 13 minutes 11 seconds E a distance of 4.58'; thence N 43 degrees 09 minutes 49 seconds E a distance of 396.52'; thence N 72 degrees 51 minutes 49 seconds E a distance of 144.00'; thence N 65 degrees 55 minutes 49 seconds E a distance of 207.63'; thence S 08 degrees 10 minutes 58 seconds E a distance of 178.60' to the point of beginning; thence S 08 degrees 10 minutes 58 seconds W a distance of 222.64'; thence N 70 degrees 34 minutes 58 seconds E a distance of 134.00; thence N 08 degrees 10 minutes 58 seconds E a distance of 154.03'; thence S 78 degrees 40 minutes 14 seconds W a distance of 118.93' to the point of beginning.

Also a 20' ingress and egress easement being more particularly described as follows: Commence at the Southeast corner of said Parcel I; thence S 70 degrees 34 minutes 58 seconds W a distance of 30.95' to the centerline of said 20' easement also being the point of beginning; thence N 3 degrees 48 minutes 59 seconds E a distance of 36.06'; thence N 11 degrees 24 minutes E a distance of 133.87' to the point of ending of said easement. Said easement lying 10' on each side of said centerline.

& SHOCKLEY
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PELHAM PARKWAY
ALABAMA 35124