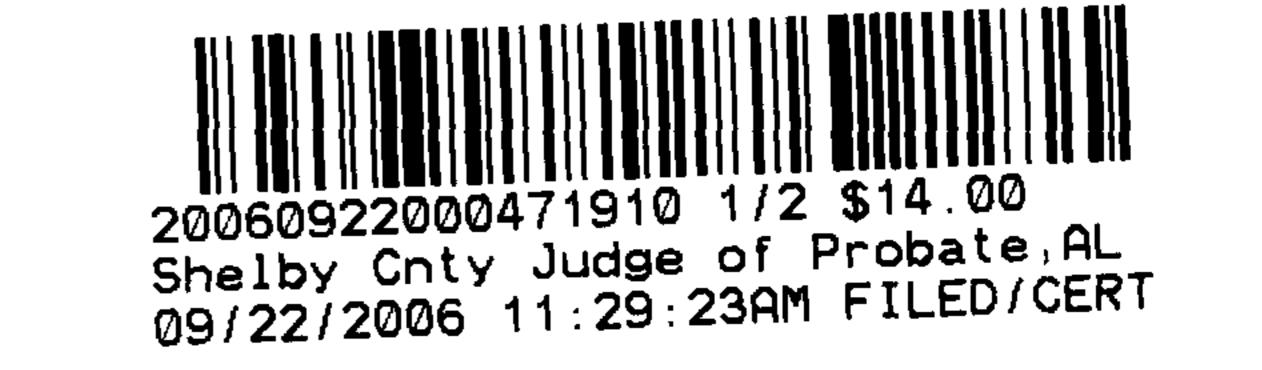
This instrument was prepared by:

Mike T. Atchison, Attorney PO Box 822 Columbiana, AL 35186



AFFIDAVIT OF HEIRSHIP

Before me the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared GEORGE WHITENER, I who after being by me duly sworn, deposes and says on oath as follows:

My name is **GEORGE WHITENER**, and I am over the age of 21 years and I am familiar with the sell of the following described property:

SEE EXHIBIT "A" FOR LEGAL DESCRIPTION.

Margaret Whitener, Joyce Dennis, George Whitener, Patricia Ford, Martha Robinson, Virgil Whitener, Don Whitener and Rose Green are the only heirs at law of FRANK WHITENER.

FRANK WHITENER having died intestate on or about the 3rd day of September 1994.

Since that time Issac Whitener, son to Frank Whitener died without widow or children.

Since that time M.D. Whitener, became deceased having died on the ____ day of ____ /95/

The property described in Title Commitment S-06-14909 being sold to Wayne Horton is one and the same parcel of the property owned by Frank Whitener and Margaret Whitener in Deed Book 180, Page 116 recorded in Shelby County, Alabama.

Further the affiant say not.

GEORGE WHITENER

Sworn and signed before me this

9th day of June 2006,

My commission expires: 10-16-08



File No.: s-06-14909

20060922000471910 2/2 \$14.00 Shelby Cnty Judge of Probate, AL 09/22/2006 11:29:23AM FILED/CERT

EXHIBIT A

One acre of land situated in the NW ¼ of the SW ¼ of the NE ¼ of Section 35, Township 21, Range 1 West, described as beginning at the Southwest corner of said ten acres and run thence North 70 yards; run thence East 70 yards; run thence South 70 yards; run thence West 70 yards to the point of beginning. Situated in Shelby County, Alabama.