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Shelby Cnty Judge of Probate, AL
01/31/2007 08:53:19AM FILED/CERT

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

STATE OF ALABAMA
SHELBY COUNTY

AFFIDAVIT

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

My name is Mayanice Walton, and I am over the age of 21 years, and am familiar with the following facts:

My brother, T.H. Walton, at the time of his death owned the following described property, to-wit:

Lots 1 and 2, Block 11, according to the survey of Jewell Heights, as recorded in Map Book 3, Page 23, in the Probate Office of Shelby County, Alabama.

T.H. Walton purchased the above described property from John H. Denham and wife, Mary Denham, and C.O. Lawrence and wife, Mrs. C.O. Lawrence, as evidenced by deed dated December 19, 1959, recorded in Deed Book 206, Page 478, in the Probate Office of Shelby County, Alabama. It has been brought to my attention that there is a subsequent deed from James L. Denham and James S. Gould, as Co-Executors of the Estate of John H. Denham, deceased, and as Co-Trustees of Trust Estate "A" and "B" under the Last Will and Testament of John H. Denham, deceased, to Mary B. Denham, dated December 28, 1972, and recorded in Deed Book 278, Page 98, in said Probate Office.

When my brother purchased this property, he went into immediate possession of same, walking the property from time to time, cruising the timber on same, and paying taxes annually. I have never heard of any other party or parties making any claim to own the property. T.H. Walton was in open, notorious, actual, and adverse possession of said property from his purchase in 1959, until his death in December, 2004.

My brother also owned the following described property, to-wit:

Lots 4 and 5, Block 7, according to the survey of Jewell Heights, as recorded in Map Book 3, Page 23, in the Probate Office of Shelby County, Alabama.

This property was acquired from the State of Alabama for unpaid 1949 taxes, as evidenced by Tax Deed dated March 16, 1955, recorded in Deed Book 181, Page 313, in the Probate Office of Shelby County, Alabama. Upon purchasing the tax title, T.H. Walton went into immediate possession of the property, walking the property from time to time, cruising the timber on same, and paying taxes annually. I have never heard of any other party or parties making any claim to own the property. My brother was in open, notorious, actual, and adverse possession of said property from his purchase in 1955, until his death in December, 2004.

Further the affiant saith not.

Mayanice Walton

Mayanice Walton

Sworn to and subscribed to before me
This 15th day of January, 2007.

Notary Public

My Commission expires: 10/16/2008