

AFFIDAVIT AS TO HEIRS

(SMALL ESTATES WHERE DECEDENT DIED INTESTATE AFTER 10/1/83 AND DEED IS WITHOUT SURVIVORSHIP)

STATE OF ALABAMA COUNTY OF SHELBY

ON THE 27TH DAY OF FEBRUARY, 2007, BEFORE ME PERSONALLY APPEARED BARBARA LAWLEY AND GLENNICE SMITHERMAN PERSONALLY KNOWN TO ME AND BY ME FIRST DULY SWORN ON OATH DID SAY AS FOLLOWS:

AFFIANT(S) IS/ARE FAMILIAR WITH THE FAMILY HISTORY OF D. W. HARPER, DECEASED, WHO WAS THE OWNER OF THE FOLLOWING PROPERTY:

SEE ATTACHED EXHIBIT "A" LEGAL DESCRIPTION

AND THAT SAID DECEDENT DIED MAY 18, 1988, AND THAT THE PLACE OF RESIDENCE AND HOMESTEAD AT THE TIME OF DEATH WAS AS FOLLOWS:

7144 HIGHWAY 10, MONTEVALLO, ALABAMA 35115

AND AFFIANT(S) FURTHER STATES THAT DECEDENT LEFT SURVIVING THE FOLLOWING PERSONS, AS HEIRS OR OTHERWISE INTERESTED PARTIES TO THE ESTATE AND THAT THE FOLLOWING IS A TRUE AND CORRECT ACCOUNT OF ALL MARRIAGES, CHILDREN AND DIVORCES OF THE DECEDENT:

WIDOW/WIDOWER:	VERA HARPER, DIED 6/13/01
DIVORCED WIFE OR HUSBAND:	NONE
CHILDREN:	BRENDA HARPER MARTIN, 64, OF SOUND MIN DURENE HERRON, 70, OF SOUND MIND
ADOPTED CHILDREN:	NONE
DESCENDANTS OF DECEASED CHILDREN	: NONE
OTHER:	NONE
THE AFFIANT(S) AFFIRMS THAT THE FAIR MARK WAS NOT GREATER THAN \$	
REAL ESTATE APPRAISED VALUE:	unknown
MORTGAGES DUE AT DATE OF DEATH:	
STOCKS, BONDS, MORTGAGE OR NOTES I	PAYABLE AND NEGOTIABLE INSTRUMENTS:
OTHER:	

AFFIANT(S) STATES THAT THE ABOVE RECITED ASSETS ARE THE ENTIRE ESTATE POSSESSED BY THE DECEDENT AT THE TIME OF DEATH AND THAT THE PURPOSE OF THIS AFFIDAVIT IS TO DETERMINE THE HEIRS OF THE DECEDENT AS IS SET OUT IN THE CODE OF ALABAMA 43 8 40 TO 43 8 42 AND 43 8 44.

AND AFFIANT(S) FURTHER STATES THAT DECEDENT LEFT NO OTHER CHILDREN OR ADOPTED CHILDREN OR CHILDREN 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:

NONE

NAME AND AGE OF NON-COMPETENT:

NONE

AND AFFIANT(S) FURTHER STATE THAT DECEDENT () LEFT A WILL (X) DID NOT LEAVE A WILL.

AND THAT ALL DEBTS AGAINST THE ESTATE (X) HAVE () HAVE NOT BEEN PAID.

AFFIANT(S) MAKE THIS AFFIDAVIT TO INDUCE STEWART TITLE GUARANTY COMPANY AND TITLESOUTH TO ISSUE A MORTGAGE/OWNER TITLE POLICY STATING THAT BRENDA HARPER MARTIN AND DURENE HERRON ARE THE TRUE OWNERS OF THE PROPERTY DESCRIBED ABOVE.

AFFIANT(S) ACKNOWLEDGES THAT THIS DOCUMENT IS TO BE USED TO DETERMINE OWNERSHIP OF REAL PROPERTY AND MAY BE USED IN A COURT OF LAW TO DETERMINE OWNERSHIP AND MAY BE RECORDED FOR RECORD IN THE PROBATE RECORDS.

Blennice Smitherman SIGNATURE OF AFFIANT

111 Soring Brank In
Address

M D 20 2011

Monteriallo, Al 351/5

Barbara Lawley
SIGNATURE OF AFFIANT

6489 Hight Iddress

Montevallo, al. 35/15

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, HEREBY CERTIFY THAT BARBARA LAWLEY AND GLENNICE SMITHERMAN WHOSE NAME(S) ARE SIGNED TO THE FOREGOING INSTRUMENT, AND WHO ARE KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT, BEING INFORMED OF THE CONTENTS OF THE INSTRUMENT, THEY EXECUTED THE SAME VOLUNTARILY ON THE DAY THE SAME BEARS DATE.

GIVEN UNDER MY HAND AND SEAL THIS 26TH DAY OF FEBRUARY, 2007.

NOTARY PUBLIC

MY COMMISSION EXPIRES:_

TANK PUBLIC

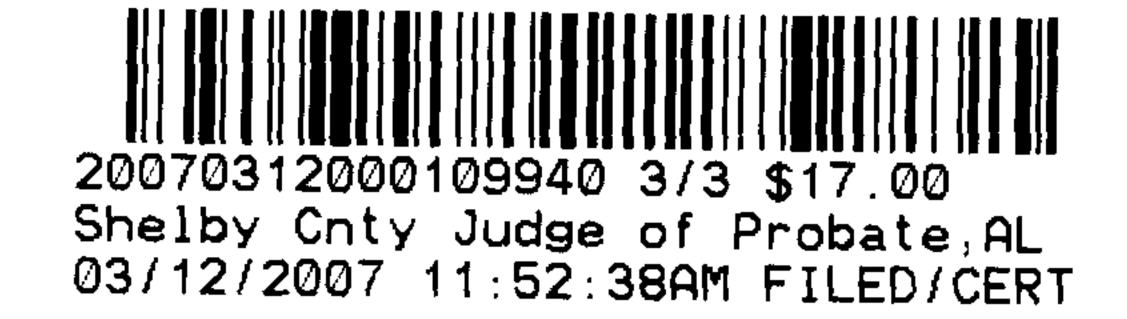


EXHIBIT "A" LEGAL DESCRIPTION

Begin at a 3" tapped pipe known as the NW corner of the NE ¼ of the NW ¼ of Section 3, Township 22 South Range 4 West; thence run an assumed bearing of South 90° 0' 0" East and run 251.04' to a 1" crimped pipe; thence South 0° 7' 12" East and run 300.00 feet to a 5/8" capped rebar; thence North 90° 0' 0" West and run 251.04 feet to a spike; thence South 0° 7' 12" East and run 162.71 feet to a 5/8" capped rebar on the Northeasterly right of way line of County Road No. 10, said point being on a curve to the right having a central angle of 9° 44' 43" and a radius of 679.06 feet; thence along the chord of said curve North 35° 36' 29" West and run a chord distance of 115.36 feet to a 5/8" capped rebar at the end of said curve; thence along said right of way line North 30° 44' 08" West and run 111.10 feet to a 5/8" capped rebar at the beginning of a curve to the left having a central angle of 13° 57' 46" and a radius of 915.74 feet; thence along the chord of said curve North 37° 43' 02" West and run a chord distance of 222.61 feet to a 5/8" capped rebar; thence North 35° 42' 59" East and run 120.00 feet to a 5/8" capped rebar on the North line of the NW ¼ of the NW ¼ of said Section 3; thence South 89° 58' 11" East along said ¼-¼ line and run 189.11 feet back to the Point of Beginning.