

HEIRSHIP AFFIDAVIT

State of Alabama)
)
Shelby County)

On this 9 day of October, 2007, before me personally appeared ANN POE, to me personally known, who being by me duly sworn, on oath did say that affiant is familiar with the family history of Herschel Bearden, the deceased, who was the owner of the following property legally described as:

SEE ATTACHED DEED FOR A LEGAL DESCRIPTION.

And that deceased died on or about December 31, 2006, and that the place of residence and homestead, at the time of death, was as follows: **88 Chelsea Forest Road, Columbiana, Shelby County, Alabama 35051.**

And affiant further states that said deceased was married at the time of his death, died without a last will and testament and left surviving the following persons as heirs or otherwise interested in the estate:

- Spouse: Faye Bearden
- Children: Melissa F. Bearden, date of birth, 2/22/1962, competent
- Lori Champion, date of birth, 11/07/1966, competent
- Rachel Kimbell, date of birth, 12/07/1970, competent

I know each of these parties, and they are the only children born of the marriage between Herschel Bearden and Faye Bearden, and Herschel Bearden has no other children. There has been no estate opened through the Probate Court of Shelby County, and neither the spouse or the children intend to open any estate. This property is the only item of value in the estate.

And affiant further states that all of the above parties are over the age of twenty-one (21) years of age. I have consulted with the children and spouse, and they have been friends for over fifty years, and I am familiar with all the family history and relationships.

And affiant further states that there are no debts, including final medical bills, against said estate have been paid. I have verified this information with the spouse and children, as well as my independent knowledge of their family history.

This affidavit is given for the purpose of inducing the purchase and/or the making of a mortgage loan on decedent's property and further inducing Larry R. Newman, attorney and title agent., hereinafter referred to as "Title Company", to issue a binder(s), commitment(s), and/or policy or policies of title insurance insuring the title to the property without exception to, among other matters, title to the decedent. And in consideration thereof, the affiant agrees to indemnify and hold said Title Company



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Shelby Cnty Judge of Probate, AL
11/07/2007 10:32:16AM FILED/CERT

harmless from any and all loss, costs, or damages, including attorneys' fees, which said Title Company may incur or become liable for under its insured closing protection letter, binder(s), commitment(s) and/or policy or policies, either directly or indirectly, as a result of any misstatement contained herein.

Ann Poe

AFFIANT/ANN POE
7650 CHELSEA ROAD
COLUMBIANA, ALABAMA 35051
(205) 678-8204

SWORN TO AND SUBSCRIBED, before me, this the 9 day of October, 2007.

Crystal M. Thibault

NOTARY PUBLIC

My Commission Expires: _____

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Feb 11, 2008



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EXHIBIT "A"
(Legal Description)

Parcel I

The Surface Rights to a parcel of land situated in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, Township 20 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southwest corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, Township 20 South, Range 1 West, Shelby County, Alabama; thence run Northerly along the West line thereof for 377.87 feet to the Northerly right-of-way of Chelsea Forest Drive and the Point of Beginning; thence continue along last described course for 391.57 feet; thence 89°24'12" right and run Easterly 325.42 feet to the Westerly right-of-way of Shelby County Highway No. 47; thence 61°13'24" right and run Southeasterly along said right-of-way for 63.01 feet; thence 108°11'37" right and run Westerly 116.13 feet; thence 78°49'12" left and run Southerly 266.82 feet to the Northerly right-of-way of Chelsea Forest Drive and a curve concaved Northerly (having a radius of 599.93 feet and a central angle of 12°08'34"); thence 86°45'35" right to chord of said curve run Westerly along said right-of-way and a curve for 127.14 feet to a curve to the left (having a radius of 155.27 feet and a central angle of 46°54'39"); thence run along said right-of-way and curve for 127.13 feet to the Point of Beginning.

Parcel II

Surface Rights Only to a parcel of land situated in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the Southeast corner of SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, Township 20 South, Range 1 West; thence run North along the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ for 479.67 feet to the Point of Beginning; thence continue last described course for 185.00 feet; thence 90°00' left and run West for 235.00 feet; thence 90°00' left and run South 185.00 feet; thence 90°00' left and run East 235.00 feet to the Point of Beginning.