


STATE OF ALABAMA)
COUNTY OF SHELBY)

AFFIDAVIT


20100106000005160 1/2 \$14.00
Shelby Cnty Judge of Probate, AL
01/06/2010 11:59:25 AM FILED/CERT

BEFORE ME, the undersigned authority, on this day personally appeared the Affiant, Naomi Marie Elliott, who, being by me duly sworn, said as follows:

My name is Naomi Marie Elliott and I reside in Jefferson County, Alabama.

I am unmarried and of sound mind. I am giving this affidavit to clear the title to the property described on the attached Exhibit "A" (the "Property") and to induce Cahaba Title, Inc. to issue its policy of title insurance insuring the sale of the Property to Alabama Youth Homes, Inc. I am personally acquainted with the facts herein stated concerning the Property and its chain of ownership.

My husband, Waldo S. Elliot, and I purchased the Property in 1970 and have assessed and paid taxes on it continuously since that time. The deed is recorded in Deed Book 262, at Page 547, in the Probate Office of Shelby County, Alabama. The Property has been continuously owned since 1941, as follows:

W. S. Elliott and Lessie Elliot purchased the Property from J. P. Lybrand and Ella Lybrand on August 12, 1941 (the "Original Deed"). The deed contains an error in the legal description in that, in addition to the Property, it also describes land to the south of the Property. This deed is recorded in Deed Book 110, at Page 563, in the Probate Office of Shelby County, Alabama.

W. S. Elliott and Lessie Elliott sold a portion of the land described in the Original Deed to Barbara Olson Moore. That deed is recorded in Deed Book 229 at Page 139, and corrected in Deed Book 232, at Page 745, in the Probate Office of Shelby County, Alabama.


My husband and I purchased the balance of the land described in the Original Deed from W.S. Elliott and Lessie Elliott on May 20, 1970. That deed contained an error in the legal description in that it did not except the parcel previously conveyed in the deed recorded in Deed Book 229, at Page 139, and corrected in Deed Book 232, at Page 745, in the Probate Office of Shelby County, Alabama.

The legal description described on the attached Exhibit "A" is the correct legal description of the Property.

I am the only party in possession of the Property, or any part thereof, and I know of no adverse claim of ownership or possession by any other party.

Waldo S. Elliott, the other grantee in the deed recorded in Deed Book 262, at Page 547, died on August 5, 2006. As the surviving grantee in that deed I became the sole owner of the Property.

Further, deponent saith not.


Naomi Marie Elliott

Sworn to and subscribed before me this 6
day of January, 2010.



Notary Public
My Commission Expires: 6/13/12

EXHIBIT "A"

A Parcel of land situated in the NW 1/4 of the NW 1/4 of Section 27, Township 19 South, Range 1 East, Shelby County, Alabama and being more particularly described as follows: Commence at the Northeast corner of NW 1/4 of NW 1/4 of Section 27, Township 19 South, Range 1 East, Shelby County, Alabama, and run South a distance of 315.30'; thence turn an interior angle to the left of $94^{\circ}27'13''$ and run a distance of 99.41'; thence turn an interior angle to the right of $92^{\circ}35'17''$ and run a distance of 59.94'; thence turn an interior angle to the left of $89^{\circ}44'22''$ and run a distance of 633.00'; thence turn an interior angle to the right of $91^{\circ}42'29''$ and run a distance of 100.00' to the Point of Beginning; thence continue along last described course a distance of 102.95'; thence turn an interior angle to the left of $91^{\circ}42'29''$ and run a distance of 126.24'; thence turn an interior angle to the left of $92^{\circ}14'25''$ and run a distance of 105.54' to a point on the East right of way line of Lybrand Road; thence turn an interior angle to the left of $135^{\circ}59'22''$ and run along said right of way a distance of 38.71'; thence turn an interior angle to the left of $115^{\circ}29'55''$ and run a distance of 112.14' to the Point of Beginning.



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