

STATE OF ALABAMA)

SHELBY COUNTY)

AFFIDAVIT

Before me, the undersigned authority, on this day personally appeared W.L. Lawler, Jr. ("Affiant") who, being first duly sworn, upon his oath did depose and state as follows:

1. My name is W.L. Lawler, Jr. I live at 135 Lawler Drive, Montevallo, Alabama, 35115. I am over the age of 19 (nineteen) years. I have personal knowledge of the facts stated in this affidavit.

2. I am the son of Bessie Mae Lawler and W. L. Lawler, Sr., also known as William Lister Lawler, Sr. W. L. Lawler, Sr. died in 1982 and Bessie Mae Lawler died in 2002. I have served as a Personal Representative of the Estate of W. L. Lawler, Sr. and of the Estate of Bessie Mae Lawler since their estates were opened. I am also the sole managing member of Lawler Properties, LLC.

3. In 1942 Bessie Mae Lawler acquired land in Shelby County, Alabama from W. A. and Eva James pursuant to that deed recorded at Deed Book 115, Page 152 in the Office of the Judge of Probate of Shelby County, Alabama. The portion of that property located in the W 1/2 of the NW 1/4 of Sec 5, Township 24 N, Range 13 E was bounded on the South by the old Montevallo and Calera public road which became known as Alabama Highway 25, on the North by the southern right of way of Southern Railway, and on the East by the "settlement road" leading North from Alabama Highway 25 to the right of way of Southern Railway (the "Property"). The Property then became known as the "Bessie Mae Lawler Farm."

4. The settlement road essentially headed due south from the main Southern Railway line to Alabama Highway 25 as shown in the attached Exhibit A (said road being identified therein as "County Road (gravel)"; said Exhibit being a portion of that certain deed recorded at Book 180, Page 271 in the Office of the Judge of Probate of Shelby County, Alabama). The Southern Railway spur heading south of the main Southern Railway line was to the west of the county road/settlement road and had a southeasterly course before turning due south to the north right-of-way of Alabama Highway 25 as shown in the attached Exhibit A.

5. In 1966 Shelby County changed the course of the county road/settlement road, obtained a right of way over the Property, and designated the settlement road as County Road 23. As a result of the condemnation and rerouting of County Road 23, County Road 23 now runs parallel to the Southern Railroad railway spur as shown on Exhibit B attached hereto.

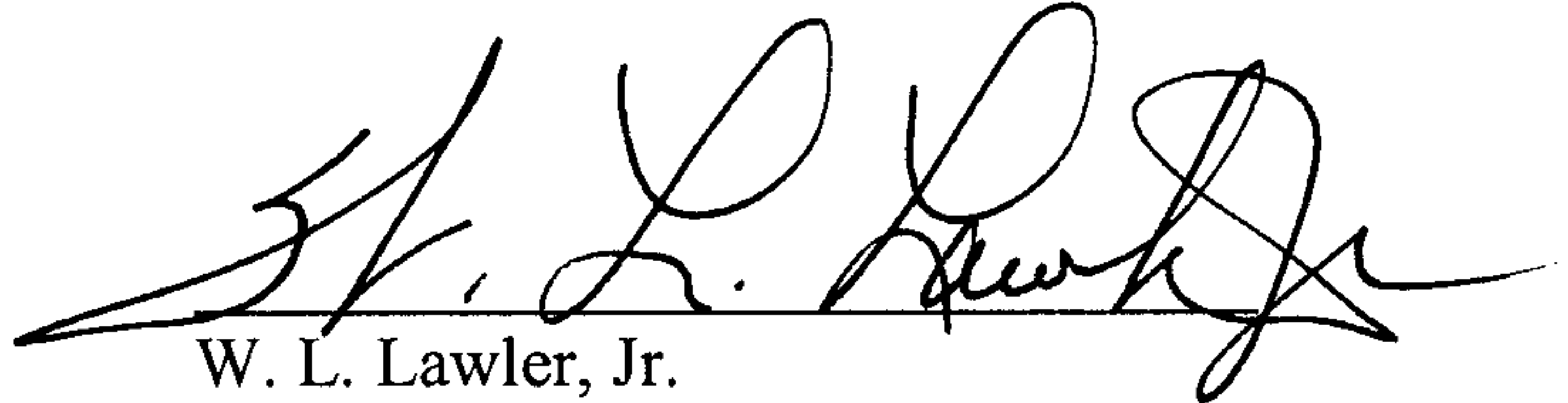
6. In 1980 and 1981 Bessie Mae Lawler and W. L. Lawler, Sr., conveyed the certain real estate known as the "Bessie Mae Lawler Farm" to William Phillip Lawler, Dianne Lawler Andree (also known as Dian Lawler Johnson), Wayne Keith Lawler, Ann D. Lawler and Affiant, W.L. Lawler, Jr. (collectively the "Lawlers"). The 1980 and 1981 deeds concluded with the following statement:

"It being the intention of the parties hereto [Bessie Mae Lawler and W. L. Lawler, Sr.] to convey to grantees [William Phillip Lawler, Dianne Lawler Andree, Wayne Keith Lawler, Ann D. Lawler and W.L. Lawler, Jr.] a one-half interest in all of the property

included in and known as the "Bessie Mae Lawler Farm", whether correctly described herein, or not."

7. In 1999 the Lawlers transferred a portion of the Bessie Mae Lawler Farm to Lawler Properties, LLC by a metes and bounds description. In transferring the Property to Lawler Properties, LLC the Property was surveyed, but the survey failed to survey the entire Property to its eastern boundary, the original settlement road.

8. Since the 1980 and 1981 conveyances through the date of this affidavit, and throughout the administration of Estate of W. L. Lawler, Sr. or the Estate of Bessie Mae Lawler, no heir of Bessie Mae Lawler or W. L. Lawler, Sr., other than the Lawlers, or any other person or entity, other than Lawler Properties, LLC, has asserted any claim to any portion of the Property. No deeds of conveyance to any portion of the Property has been executed by the Estate of Bessie Mae Lawler or the Estate of W. L. Lawler, Sr.

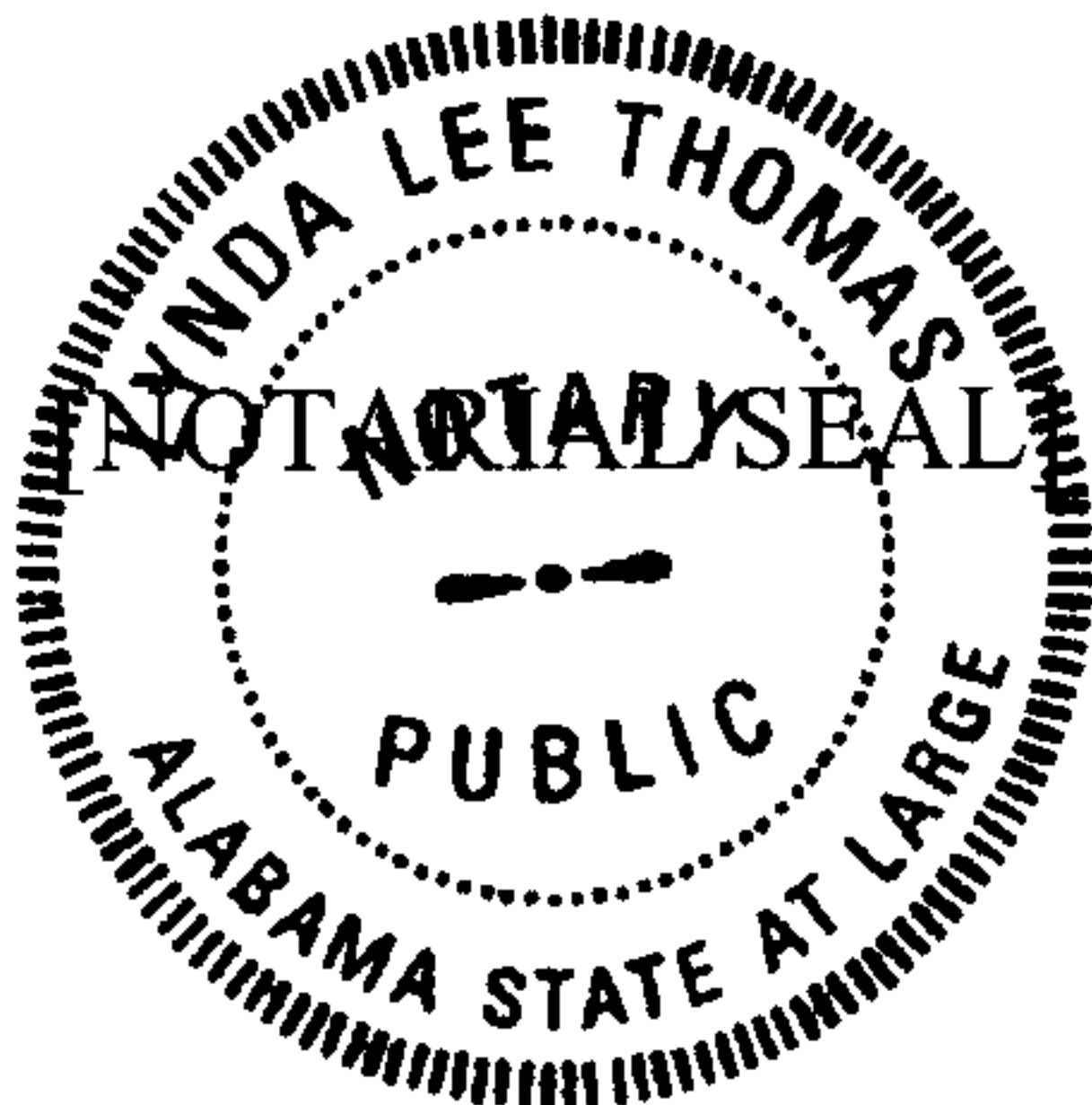

W. L. Lawler, Jr.

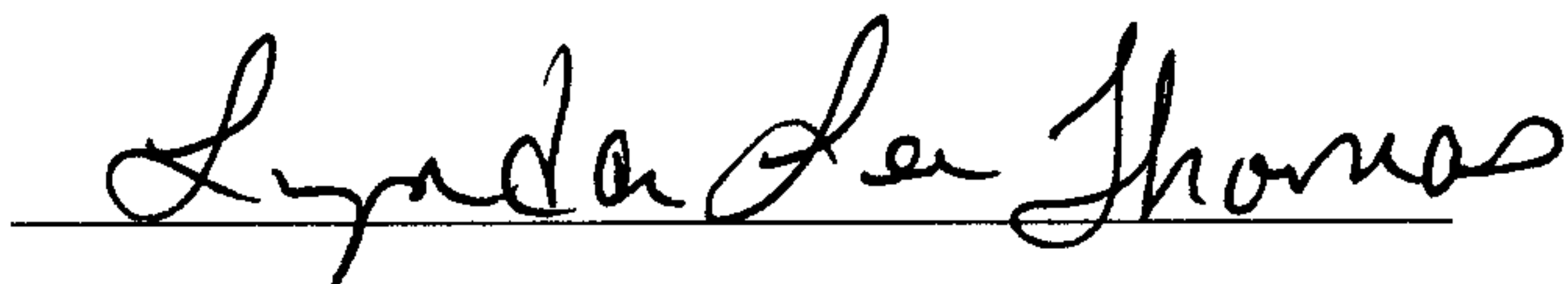
STATE OF ALABAMA)

Jefferson COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that W.L. Lawler, Jr., whose name is signed to the foregoing Affidavit and who is known to me, acknowledged before me on this day that, being informed of the contents of the Affidavit he executed the same voluntarily on the day the same bears date.

Given under my hand this the 27th day of July, 2011.




Lynda Lee Thomas

Notary Public

My Commission Expires: 8/20/2011



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Shelby Cnty Judge of Probate, AL
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EXHIBIT A

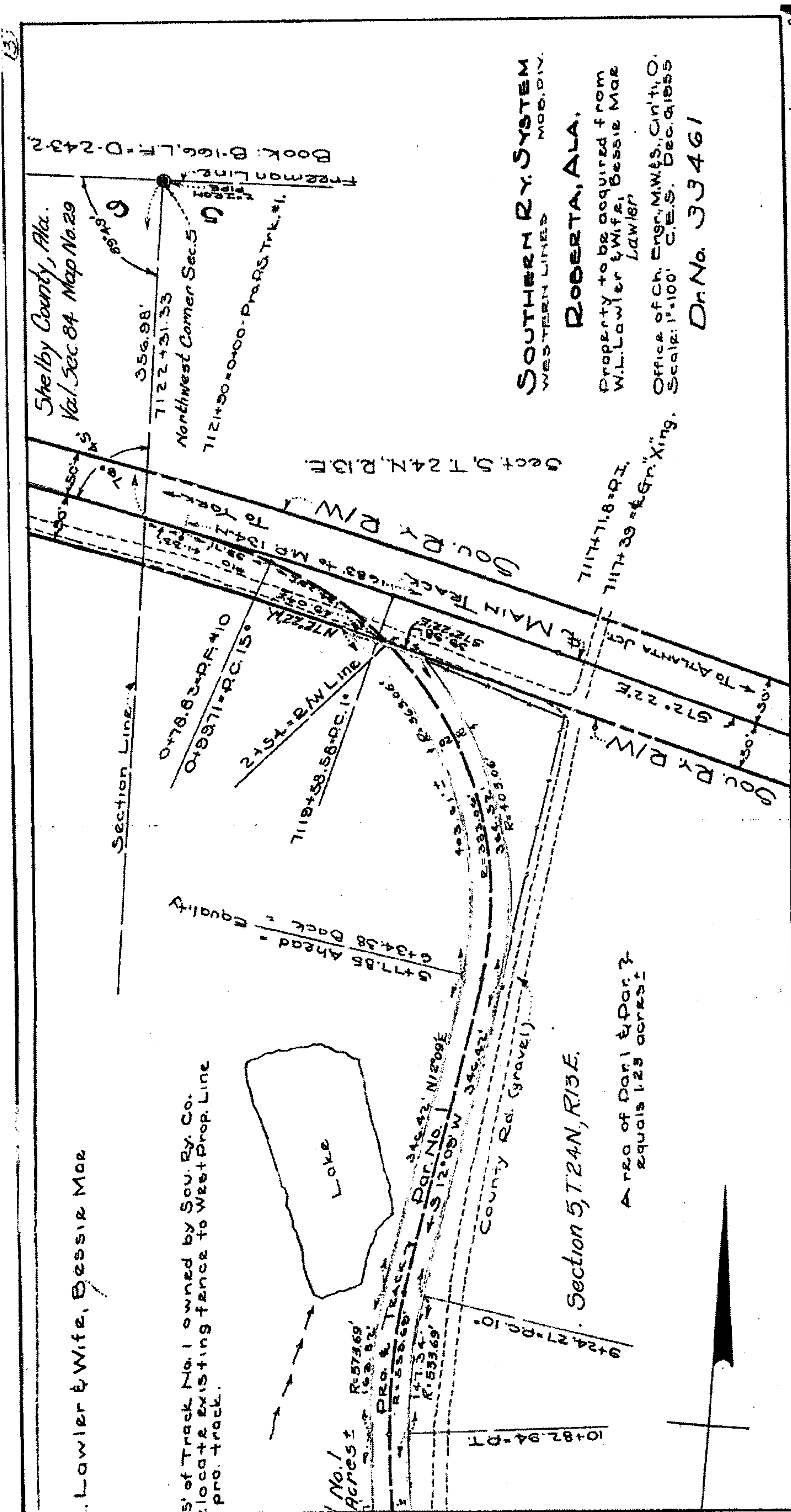
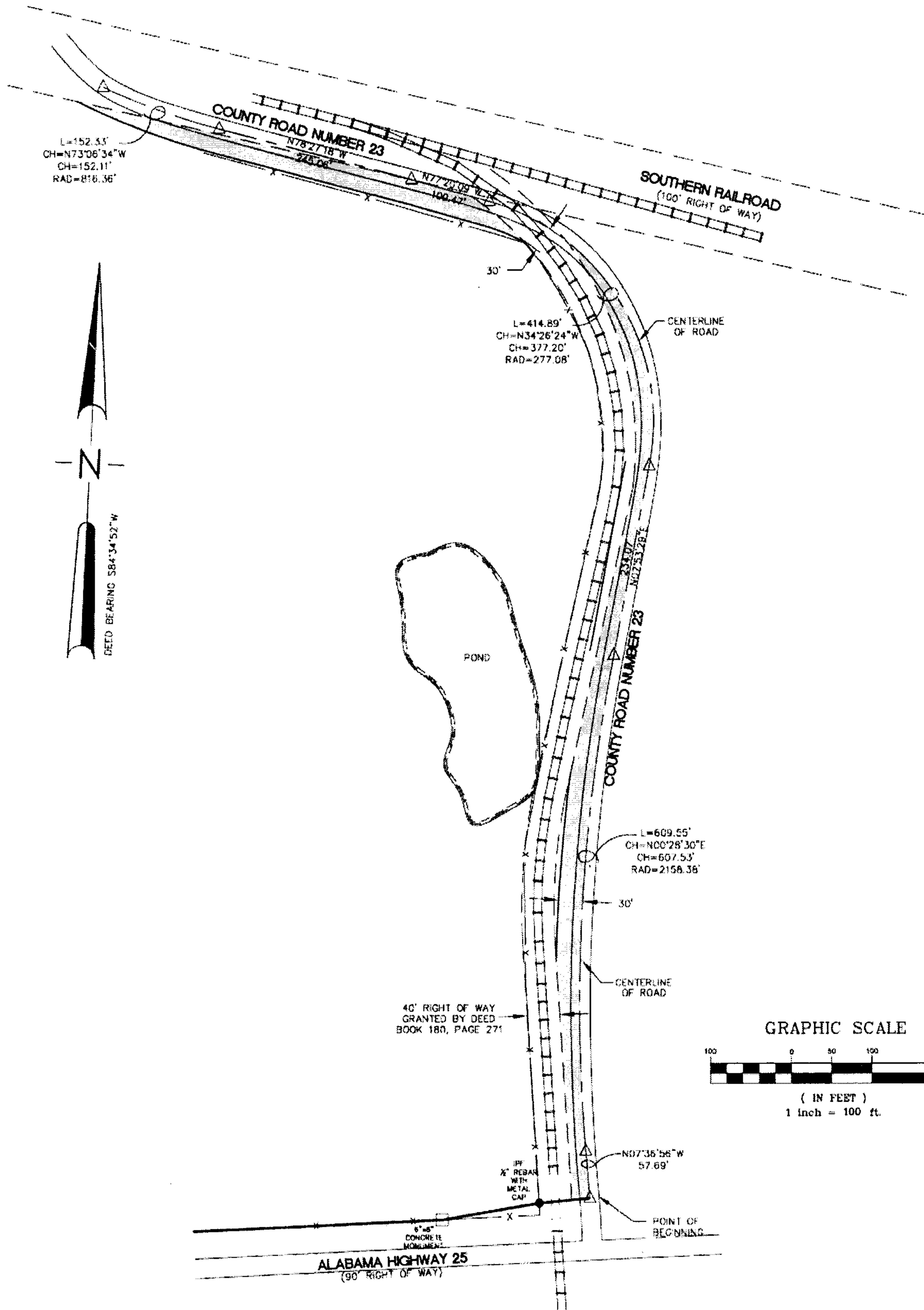


Exhibit B



20110727000218640 5/5 \$24.00
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