

AFFIDAVIT

STATE OF ALABAMA
SHELBY COUNTY

Before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared **Ella Ruth Payne Gardner**, whose name is signed to this Affidavit and who is known to me, and who being by me first duly sworn, deposes and says as follows:

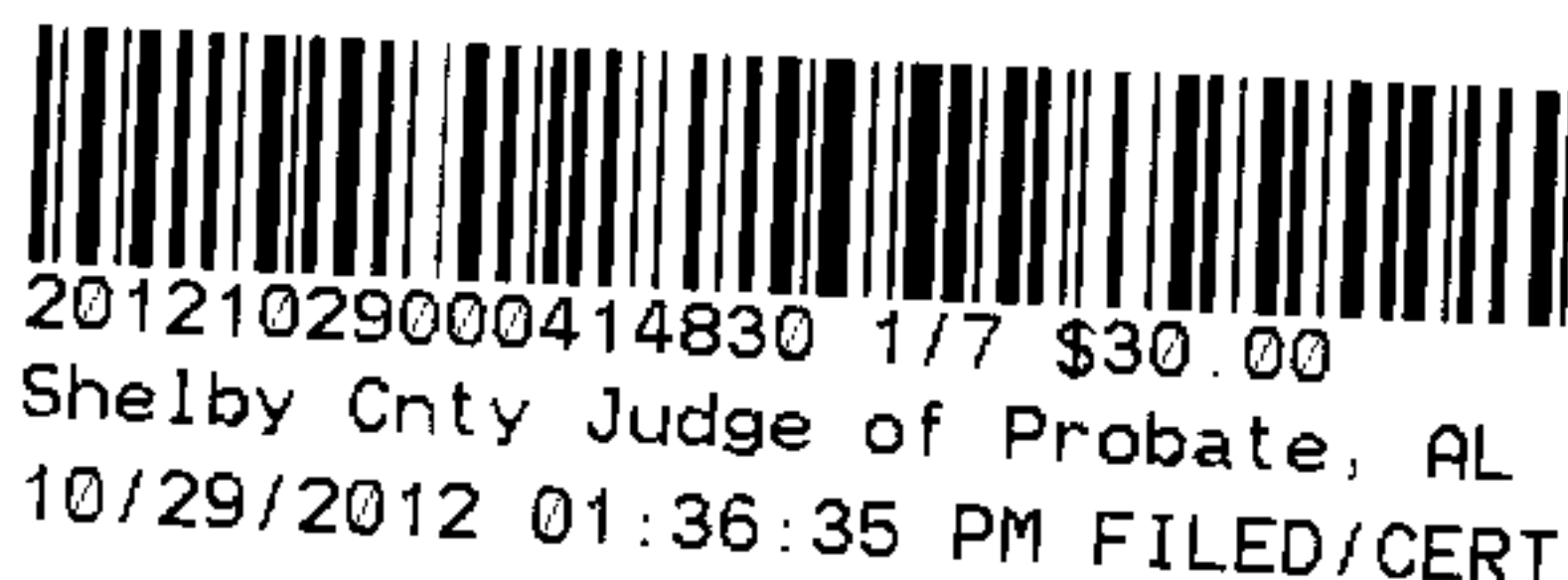
My name is Ella Ruth Payne Gardner, I am 75 years of age and my address is P. O. Box 267, Vincent, Alabama 35178. I am the only child of Ruby L. Gowers and Walter Eli Payne. Subsequent to my birth my parents divorced. My mother later married Dillard Gowers but later divorced him. My father, Walter Eli Payne, died on September 2, 1971. My mother, Ruby L. Gowers, died intestate on July 23, 2004 while living in Shelby County, Alabama. At the time of her death she owned the tract of land that is the subject of this affidavit. As I was an only child I inherited all of my mothers estate.

On May 31, 1990 Lucille Ray executed what purported to be a deed to my mother for a small tract of land in Shelby County, Alabama which is the subject of this affidavit. A copy of said deed is attached hereto as **Exhibit A**. On or about September 21, 1990 my mother had said tract of land surveyed by Larry W. Carver. A copy of said survey is attached hereto as **Exhibit B**. On October 11, 1994 my mother executed an affidavit concerning said tract of land. In that affidavit my mother confirms that she is the grantee in the deed from Lucille Ray dated May 31, 1990 that is referred to herein above. Also in said affidavit my mother stated that she was currently living on said tract of land and had lived on it continuously and exclusively for more than 20 years prior to the execution of said affidavit. A copy of said affidavit is attached hereto as **Exhibit C**. On August 29, 2008 Mable Walton and Frank Ray Walton both executed affidavits confirming that I am and was the only child of Ruby L. Gowers and Walter Eli Payne, both of whom are now dead, and that I inherited their estates and am now in sole possession and ownership thereof. Copies of said affidavits are attached hereto as **Exhibits D** and **Exhibit E**. I have lived on the subject property since February 2000 with my son, Roy Eugene Gardner, Jr.

I am, this date, executing a Statutory Warranty Deed to my son, Roy Eugene Gardner, Jr. for the land which is the subject of this affidavit.

DONE, this the 29 day of October, 2012.

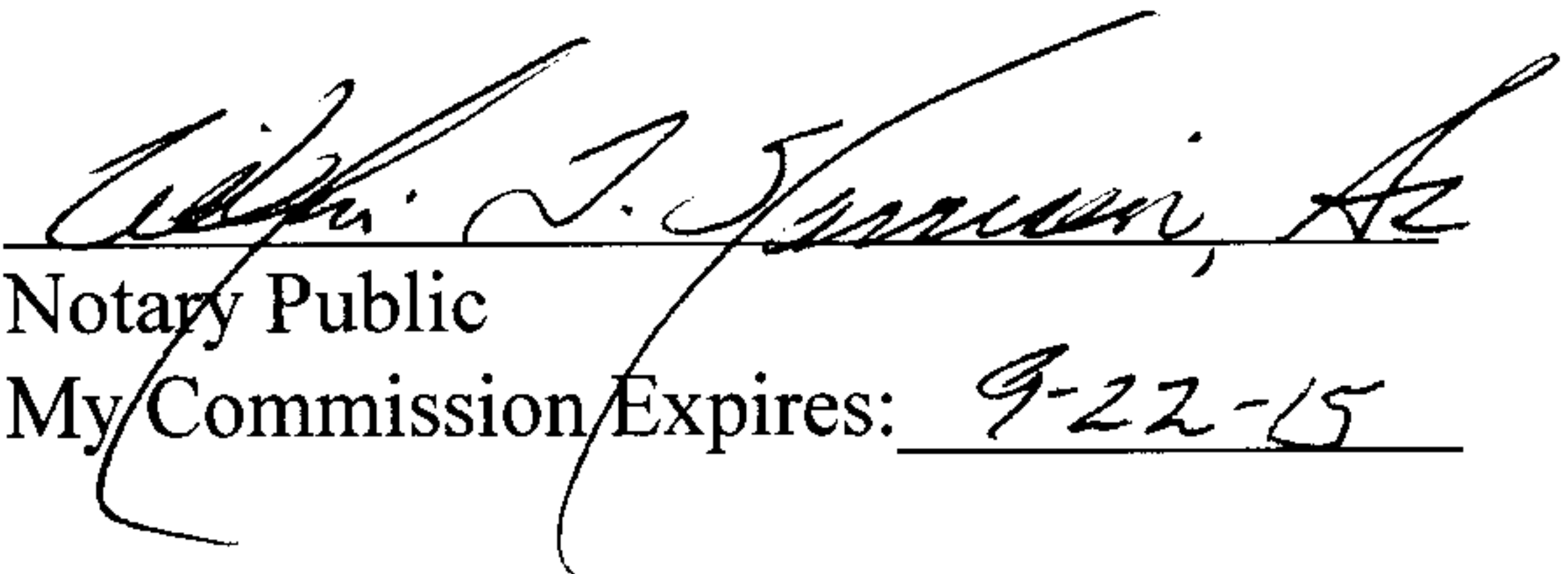

Ella Ruth Payne Gardner
Affiant



**STATE OF ALABAMA
SHELBY COUNTY**

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **Ella Ruth Payne Gardner**, whose name is signed to the foregoing and who is known to me, acknowledged before me on this date, that, being informed of the contents of the foregoing Affidavit, said contents of said affidavit are true and correct and she did execute the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 29 day of October, 2012.


Notary Public
My Commission Expires: 9-22-15



20121029000414830 2/7 \$30.00
Shelby Cnty Judge of Probate, AL
10/29/2012 01:36:35 PM FILED/CERT

Exhibit "A"

I, Lucille Ray, hereby sell my one acre of land, where Ruby Gowers' trailer is now parked, to Ruby Gowers for \$1.00. The front of the property facing old highway 280, with the right side joining with Luther and Wilma Hatcher and the left side joining with Mt. Zion Church, and going back one acre deep. The location of this property is Westover, Alabama. This transaction effective May 31, 1990.

Lucille Ray
Lucille Ray

Ruby Gowers
Ruby Gowers

Wendy J. Massey
Witness

Shelley G. Champion
Notary Public
FNA Shelley K. Lee

My Commission Expires September 2, 1990


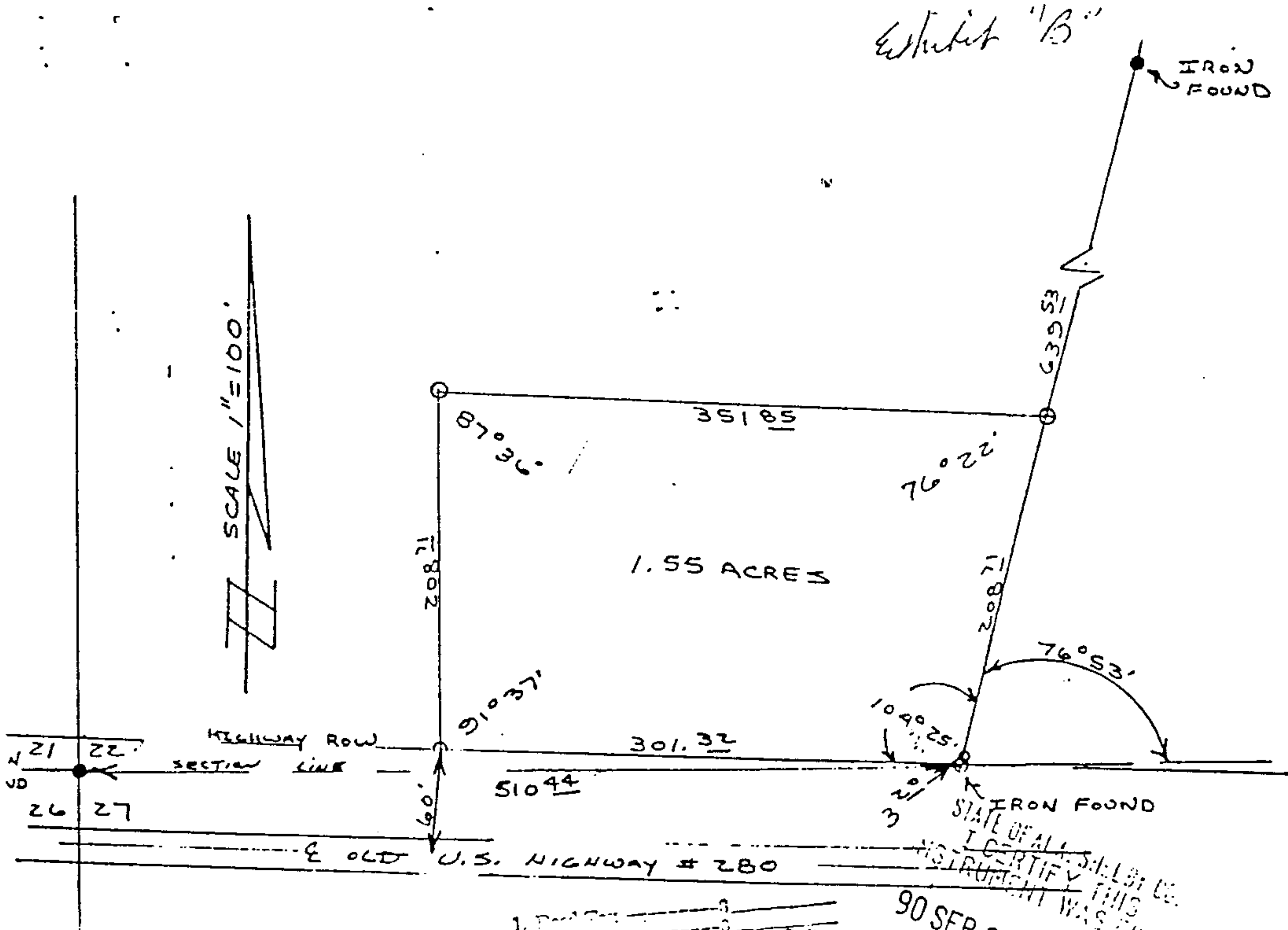

20121029000414830 3/7 \$30.00
Shelby Cnty Judge of Probate, AL
10/29/2012 01:36:35 PM FILED/CERT

EXHIBIT "B"

20121029000414830 4/7 \$30.00
Shelby Cnty Judge of Probate, AL
10/29/2012 01:36:35 PM FILED/CERT



1.	1.50
2.	3.00
3.	1.00
4.	1.00
5.	1.00
6.	1.00
Total	11.50

State of Alabama
Shelby County

I hereby certify that all parts of this survey and drawing have been completed in accordance with the requirements of the Minimum Technical Standards for the Practice of Land Surveying in the State of Alabama.

Larry W. Carver 15454
Larry W. Carver Al. Reg. No.

Description:

Commence at the Southwest Corner of Section 22 Township 19 South Range 1 East, thence run East along the South Boundary line of said section for 510.44 feet, thence turn an angle of 76°53' left and run 3.20 feet to the point of beginning, thence continue along last said course for 208.71 feet, thence turn an angle of 103°38' left and run 351.85 feet, thence turn an angle of 92°24' left and run 208.71 feet to the northern right of way line of Shelby County Highway #280 (old U.S. Highway #280), thence turn an angle of 08°23' left and run along said road right of way for 301.32 feet to the point of beginning. Containing 1.55 acres.

SCALE 1"=100'
JULY 3, 1990

BOOK 310 PAGE 795

10/29/2012 01:36:35 PM
FILED/CERT
SHELBY COUNTY JUDGE OF PROBATE
AL

Exhibit "C"

AFFIDAVIT

STATE OF ALABAMA
SHELBY COUNTY


Before me, the undersigned authority, a Notary Public in and for said County, in said State, personally appeared Ruby Gowers, who, after being by me first duly sworn to speak the truth, deposes and says as follows:

My name is Ruby Gowers. I am 84 years of age and reside at 1853 Westover Road, Harpersville, Alabama 35078. I am one and the same Ruby Gowers as is referred to in that certain conveyance from Lucille Ray dated May 31, 1990, a copy of which is attached hereto as Exhibit "A" and made part and parcel hereof as fully as if set out herein. The one acre which Lucille Ray conveyed to me by the aforesaid conveyance shown on Exhibit "A" has now been surveyed and is shown on the survey attached hereto as Exhibit "B" and made part and parcel hereof as fully as if set out herein. I am currently living on the said one acre of land shown on Exhibits "A" and "B" and have lived on said land continuously and exclusively for more than twenty years next preceding the date of this affidavit.

Ruby Gowers
Affiant

Sworn to and subscribed to before
me on this 11th day of October,
1994.

James E. Culver
Notary Public


20121029000414830 5/7 \$30.00
Shelby Cnty Judge of Probate, AL
10/29/2012 01:36:35 PM FILED/CERT

Inst # 1994-30931

10/11/1994-30931
03:30 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 13.50

Exhibit "D"

AFFIDAVIT

STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned authority, a Notary Public in and for said County, in said State, personally appeared **Mable Walton**, who, being by me first duly sworn, deposes and says:

My name is Mable Walton. I am the cousin of Ella Ruth Gardner, who is the only child of Ruby L. Gowers, who died on July 23, 2004, and Walter Eli Payne, who died on Sept. 2, 1971 - M.W.

It is of my own personal knowledge that Ella Ruth Gardner was the only child that Ruby L. Gowers and Walter Eli Payne ever had and that they died leaving an estate which is now the sole possession and under the sole ownership of Ella Ruth Gardner.

I give this affidavit for the purpose of clarifying any chain-of-title questions which might arise from a title search of the subject estate.

Mable Walton
Mable Walton

Sworn to and subscribed before me this the 29th day of August, 2008

Martha Pair Corp
Notary Public

My Commission Expires: JUN 09 2009



20121029000414830 6/7 \$30.00
Shelby Cnty Judge of Probate, AL
10/29/2012 01:36:35 PM FILED/CERT

Exhibit "E"

AFFIDAVIT

STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned authority, a Notary Public in and for said County, in said State, personally appeared **Ray Walton**, who, being by me first duly sworn, deposes and says:

My name is Ray Walton. I am the cousin of Ella Ruth Gardner, who is the only child of Ruby L. Gowers, who died on July 23, 2004, and Walter Eli Payne, who died on Sep. 2, 1971. F.R.W.

It is of my own personal knowledge that Ella Ruth Gardner was the only child that Ruby L. Gowers and Walter Eli Payne ever had and that they died leaving an estate which is now the sole possession and under the sole ownership of Ella Ruth Gardner.

I give this affidavit for the purpose of clarifying any chain-of-title questions which might arise from a title search of the subject estate.

Frank Ray Walton
Ray Walton

Sworn to and subscribed before me this 29th day of August, 2008.

Martha Pair Coy
Notary Public

My Commission Expires: JUN 09 2009



20121029000414830 7/7 \$30.00
Shelby Cnty Judge of Probate, AL
10/29/2012 01:36:35 PM FILED/CERT