

AFFIDAVIT OF POWER OF ATTORNEY IN FULL FORCE AND LEASE SALE TERMINATION

STATE OF ALABAMA

COUNTY OF SHELBY

20180606000198360

06/06/2018 10:19:34 AM

AFFID 1/5

Before me, the undersigned, a Notary Public in and for said State and County personally appeared **MELODY EVANS OUELLETTE**, who, being by me first duly sworn, deposes and says as follows:

My name is **MELODY EVANS OUELLETTE**. I am the Attorney in Fact for my mother, **Charla C. Evans**. I state the following information is true and correct, to-wit:

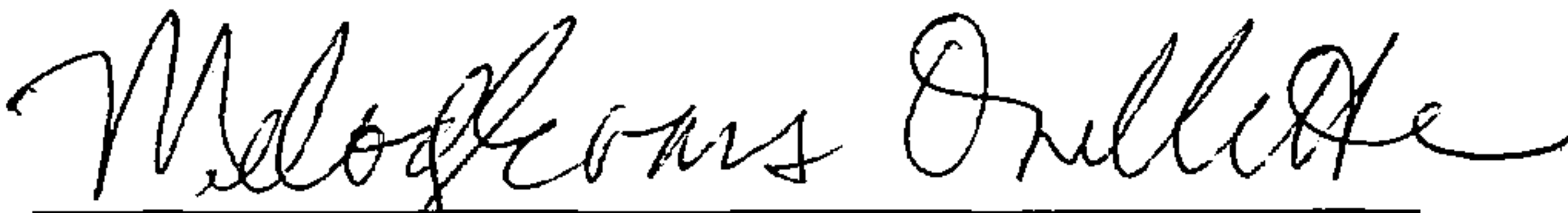
WHEREAS, the Power of Attorney granted to me by Charla C. Evans on the 10th day of June, 2013, and recorded in **Instrument Number 20170623000224650**, in the Probate Office of Shelby County, Alabama, is in full force and effect; that at the time of execution of documents on May 31, 2018, I have no knowledge of or actual notice of the revocation or termination of the Power of Attorney by death, disability, incompetence, incapacity or otherwise, and;

WHEREAS, I have personal knowledge that **Charla C. Evans** (hereinafter called "Leasee") is the owner of the property as described in **Exhibit "A"** attached hereto and made a part hereof with the property address of 1385 Simmsville Road, Alabaster, AL 35007, (hereinafter called "Property"), and;

WHEREAS, I also have personal knowledge that **Alfredo Angel**, (hereinafter called "Lessor") entered into a Lease Sale Contract on the 28th day of April, 2008, on the Property as recorded in **Instrument Number 20080520000206430** (a duplicate recorded in **Instrument Number 20080520000206440**), in the Probate Office of Shelby County, Alabama. A default was made by Lessor on said lease and Leasee notified Lessor of termination thereto, copies of which are attached hereto as **Exhibit "B"** and **Exhibit "C"**. After Lessor received the notice of termination, Lessor vacated the Property and Leasee has no knowledge any legal actions have commenced by the Lessor making any claim to the Property.

I make this affidavit for the purpose of inducing the title company to accept the above described instrument as executed by me individually and as attorney-in-fact, knowing that in accepting the aforesaid instrument, they will rely upon this affidavit.

Further affiant sayeth not.


MELODY EVANS OUELLETTE


CHARLA C. EVANS, by MELODY EVANS OUELLETTE, her Attorney in Fact

STATE OF ALABAMA

COUNTY OF SHELBY

I, CHRISTINA ELIZABETH WALL, a Notary Public in and for said County, in said State, hereby certify that **MELODY EVANS OUELLETTE**, individually and whose name as Attorney in Fact for **CHARLA C. EVANS**, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, she, in her individual capacity and as such Attorney in Fact, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 31st day of May, 2018.

CHRISTINA ELIZABETH WALL
Notary Public, State of Alabama
Alabama State At Large
My Commission Expires
January 30, 2021



Notary Public
My Commission Expires: 01/30/2017

Prepared By:
B. Christopher Battles
3150 Highway 52 West
Pelham, AL 35124

EXHIBIT "A"

Commence at the SW Corner of the N 1/2 of the SW 1/4 of Section 36, Township 20 South, Range 3 West, Shelby County, Alabama; thence N00°00'00"W, a distance of 269.15'; thence N89°44'26"E, a distance of 347.47'; thence N23°03'27"E, a distance of 318.33' to the POINT OF BEGINNING; thence N23°05'48"E, a distance of 201.27'; thence S 88°42'04"E, a distance of 426.74' to the Westerly R.O.W. line of Simmsville Road (Shelby County Highway 11), 80' R.O.W.; thence N22°17'53"E and along said R.O.W. line, a distance of 271.54'; thence N83°44'25"W and leaving said R.O.W. line, a distance of 174.57'; thence S15°42'59"W, a distance of 138.07'; thence N85°47'06"W, a distance of 376.20'; thence S18°18'10"W, a distance of 328.83'; thence S70°41'53"E, a distance of 85.57' to the POINT OF BEGINNING.

BEING PREVIOUSLY DESCRIBED AS:

Commence at the Southwest corner of the N 1/2 of the SW 1/4 of the NE 1/4 of Section 36, Township 20 South, Range 3 West, thence run North along the West line of said 1/4 1/4 Section a distance of 269.15 feet to the point of beginning; thence continue North along the West line of said 1/4 1/4 Section a distance of 78.38 feet and turn an angle of 21 deg. 46 min. 47 sec. to the right and run a distance of 353.24 feet; thence turn an angle of 86 deg. 23 min. 20 sec. to the right, and run a distance of 273.40 feet; thence turn an angle of 90 deg. 00 min. to the left and run a distance of 485.10 feet; thence turn an angle of 78 deg. 19 min. 15 sec. to the right and run a distance of 547.19 feet to the Northwest right-of-way line of Shelby County Hwy. No. 11; thence turn an angle of 106 deg. 34 min. 42 sec. to the right and run along said R/W line a distance of 272.68 feet; thence turn an angle of 68 deg. 19 min. 07 sec. to the right and run a distance of 426.90 feet; thence turn an angle of 68 deg. 19 min. 07 sec. to the left and run a distance of 520.95 feet; thence turn an angle of 66 deg. 52 min. 04 sec. to the right and run a distance of 348.07 feet to the point of beginning. Situated in the W 1/2 of the NE 1/4 Sec. 36, Township 20 South, Range 3 West, Shelby County, Alabama.

LESS AND EXCEPT:

FROM THE SOUTHWEST CORNER OF THE N 1/2 OF THE SW 1/4 OF THE NE 1/4 OF SECTION 36, TOWNSHIP 20 SOUTH, RANGE 3 WEST, PROCEED NORTH, ALONG THE 1/4-1/4 SECTION LINE FOR A DISTANCE OF 269.15 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH ALONG SAID 1/4-1/4 SECTION LINE FOR A DISTANCE OF 78.38 FEET; THENCE TURN A DEFLECTION ANGLE OF 21 DEG. 46 MIN. 47 SEC. TO THE RIGHT AND PROCEED FOR A DISTANCE OF 353.24 FEET; THENCE TURN A DEFLECTION ANGLE OF 86 DEG. 23 MIN. 20 SEC. TO THE RIGHT AND PROCEED FOR A DISTANCE OF 360.03 FEET; THENCE TURN A DEFLECTION ANGLE OF 94 DEG. 53 MIN. 57 SEC. TO THE RIGHT AND PROCEED FOR A DISTANCE OF 319.29 FEET; THENCE TURN A DEFLECTION ANGLE OF 66 DEG. 52 MIN. 04 SEC. TO THE RIGHT AND PROCEED FOR A DISTANCE OF 348.07 FEET TO THE POINT OF BEGINNING. SITUATED IN THE NE 1/4 OF SEC. 36, T-20-S, R-3-W, SHELBY COUNTY, ALABAMA.

ALSO LESS AND EXCEPT:

A parcel of land in the South 1/2 of the NW 1/4 of the NE 1/4 of Section 36, Township 20 South, Range 3 West, Shelby County, Alabama, described as follows: Commence at the SW corner of the North 1/2 of the SW 1/4 of the NE 1/4 of Section 36, Township 20 South, Range 3 West, thence run north along said 1/4-1/4 line a distance of 934.67 feet; thence turn an angle of 93 deg. 51 min. 29 sec. right and run a distance of 494.27 feet to the point of beginning; thence continue along last described course a distance of 379.01 feet; thence turn an angle of 78 deg. 06 min 07 sec. left and run a distance of 138.00 feet; thence turn an angle of 99 deg. 14 min. 43 sec. left and run a distance of 368.99 feet; thence turn an angle 78 deg. 19 min. 15 sec left and run a distance of 157.00 feet to the point of beginning.

There is also a 30 foot easement for the purpose of ingress, egress and utilities as described as follows: Commence at the SW corner of the North 1/2 of the SW 1/4 of the NE 1/4 of Section 36, Township 20 South, Range 3 West; thence run North along said 1/4-1/4 line a distance of 934.67 feet; thence turn an angle of 93 deg. 51 min. 29 sec. right and run a distance of 842.62 feet to the point of beginning; thence continue along last described course a distance of 30.66 feet; thence turn an angle of 101 deg. 53 min. 53 sec. right and run a distance of 108.64 feet; thence turn an angle of 104 deg. 22 min. 13 sec. left and run a distance of 149.89 feet; thence turn an angle of 112 deg. 05 min. 55 sec right and run a distance of 31.84 feet; thence turn an angle of 67 deg. 54 min. 05 sec. right and run a distance of 176.44 feet; thence turn an angle of 104 deg. 22 min. 14 sec. right and run a distance of 140.47 feet to the point of beginning.

EXHIBIT "B"

Charla C. Evans
268 Wynlake Drive
Alabaster, AL 35007

March 25, 2015

Alfredo Angel
1385-A Simmsville Road
Alabaster, AL 35007

RE: Termination of Lease Sale Contract

Dear Mr. Angel,

Please be advised, the Lease Sale Contract dated April 28, 2008, recorded in Shelby County, Alabama, instrument # 20080520000206440 is hereby terminated effective as of today, March 25, 2015.

This termination comes as a result of excessive, delinquent monthly payments and annual taxes as required in the above referenced contract. Termination of said contract forfeits your rights to a conveyance of said property and all monies previously paid.

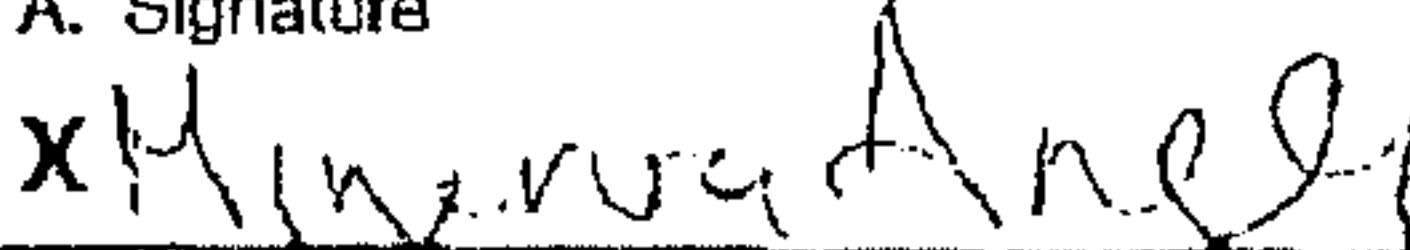
This letter serves as written request to remove all items of personal property from the property immediately. This includes but is not limited to construction materials, bricks, vehicles, machinery, equipment, debris, trash, any and all personal property. Property is expected to be returned to the original condition. Failure to comply with removal of property as requested will result in further legal proceedings at your expense.

Sincerely,



Charla C. Evans

EXHIBIT "C"

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
☒ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. ☒ Print your name and address on the reverse so that we can return the card to you. ☒ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature  ☐ Agent ☐ Addressee
1. Article Addressed to: Alfredo Angel 1385-A Emmensile Rd. Abakaster, AZ 85007	B. Received by (Printed Name) <u>Minerva Angel</u> C. Date of Delivery <u>3-28-11</u> D. Is delivery address different from Item 1? ☐ Yes If YES, enter delivery address below: ☐ No
2. Article Number (Transfer from service label) <u>7014 2120 0003 9981 6540</u>	3. Service Type ☐ Certified Mail ☐ Registered ☐ Insured Mail ☐ Express Mail ☐ Return Receipt for Merchandise ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☐ Yes

U.S. Postal Service™
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Domestic Mail Only

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OFFICIAL MAIL **35007** **U.S.**

Postage	\$ 40.45	0605 01 MAR 26 2015 Postmark Here 03/26/2015
Certified Fee	\$3.30	
Return Receipt Fee (Endorsement Required)	\$2.70	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 46.45	

Sent To: **Alfredo Angel**

Street & Apt. No.,
or PO Box No. **1385 A Simonsville Rd**

City, State, ZIP+4 **Anahaster Ar 35007**

PS Form 3800, 11/2014 See Reverse for Instructions



**Filed and Recorded
Official Public Records
Judge James W. Fuhrmeister, Probate Judge,
County Clerk
Shelby County, AL
06/06/2018 10:19:34 AM
\$27.00 CHERRY
20180606000198360**

John F. Kennedy