

STATE OF ALABAMA :

A F F I D A V I T

JEFFERSON COUNTY :

8962



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Shelby Cnty Judge of Probate, AL
05/24/1977 12:00:00 AM FILED/CERT

Come the undersigned, Myrtle Pitts Cole and John Franklin Cole, and upon being first duly sworn, depose and say:

That they are the natural parents of Linda Cole McAnally, Deceased, who died intestate in Shelby County, Alabama, on to-wit November 30, 1976, leaving among other things real property situated in Shelby County, Alabama, to which the Affiants are the sole heirs, the same being more particularly described as follows:

Lot Two in Block One, Oak Mountain Estates, according to map as recorded in Map Book 5, Page 57 in the Probate Office of Shelby County, Alabama, Mineral and Mining rights excepted.

The purpose of this affidavit is to clarify the right, title and interest of the undersigned Affiants in and to the aforementioned property as the parents of a child leaving no children or descendants of children and pursuant to Title 16, §1(2) of the Alabama Code, in which connection the Affiants would show that they were married on May 18, 1939 and born to their marriage are two sons who are presently living, i.e., John Wayne Cole, whose date of birth is April 29, 1944, and Homer Kenneth Cole, whose date of birth is December 9, 1948, and who are the brothers of Linda Cole McAnally, who was born on September 29, 1947, being until her marriage named Linda Sue Cole. Affiants further state that their daughter, Linda Sue, aforementioned, became married to Thomas Ray McAnally in to-wit June of 1968, said marriage, however, being dissolved by divorce decree in the Circuit Court of Shelby County, Alabama on November 6, 1973, under the terms of which Thomas Ray McAnally was ordered to transfer unto Linda Cole McAnally the above described property and in which connection he executed a Warranty Deed to her on November 7, 1973 which is recorded in the office of the Probate Judge of Shelby County, Alabama in Book 289, at Page 518.

Affiants also state that there were no children born out of the marriage of their deceased daughter, Linda Sue Cole, to Thomas Ray McAnally, nor did Linda at any time have children of her own or adopt any, being a single woman and childless as of the date of her death and leaving no Will, the undersigned Myrtle Pitts Cole being on December 13, 1976 appointed Administratrix of the Estate of Linda Cole McAnally, Deceased, by the Judge of Probate of Shelby County, Alabama.

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1977 MAY 24 AM 9:17

Thomas R. Snowden, Jr.
JUDGE OF PROBATE

Myrtle Pitts Cole (L.S.)

John Franklin Cole (L.S.)

Sworn to and subscribed before me this 21st day of May, 1977.

Helen M. Lacey
Notary Public

Jack Atchison