

STATE OF ALABAMA)
COUNTY OF SHELBY)

AFFIDAVIT OF JO ANN BORGAN RADUE

Before me, the undersigned, a Notary Public in and for said County in said State, personally appeared Jo Ann Borgan Radue, who, being by me first duly sworn, deposes and says as follows:

My name is Jo Ann Borgan Radue and I live with my husband, Dr. Harland L. Radue, at 3440 Hurricane Road, Birmingham, Alabama, 35226. I was born and raised in Jefferson County, Alabama, and have lived in the Birmingham area all of my life. I am 60 years of age. Likewise, I have known Anna Maybelle Sellman Hundley and her sister, Mary Elizabeth Sellman Summer, the children of Rosa Sellman and husband, Otto Richard Sellman, since I was a small child. My father, Joseph Borgan, was the brother of Rosa Sellman, therefore, the said Anna Maybelle Sellman Hundley and the said Mary Elizabeth Sellman Summer are my first cousins.

The said Otto Richard Sellman died in November, 1954, survived by his widow, the said Rosa Borgan Sellman, and by their two daughters - Anna Maybelle Sellman Hundley, the wife of Raymond C. Hundley, and the said Mary Elizabeth Sellman Summer, the wife of William Summer, as his sole and only legal heirs at law.

The said Rosa Borgan Sellman died on July 28, 1978, while residing in Shelby County, Alabama, survived by her said daughters as her sole and only legal heirs at law. The marriage of the said Otto Richard Sellman and the said Rosa Borgan Sellman to each other was the only marriage of either of them, and neither of them was survived by any child or children, or children of any deceased child, other than the said Anna Maybelle Sellman Hundley and the said Mary Elizabeth Sellman Summer.

The said Raymond C. Hundley died on February 16, 1990, in Jefferson County, Alabama, and the said Mary Elizabeth Sellman Summer is legally separated from the said William Summer. The said Mary Elizabeth Sellman Summer resides in Santee, California, and the address of the said William Summer is unknown. The said Anna Maybelle Hundley resides in Birmingham, Jefferson County, Alabama.

In January 1956, following the death of Otto Richard Sellman in November, 1954, the said Rosa Borgan Sellman married Alford J. Hundley, who was the oldest brother of the said Raymond C. Hundley.

On March 22, 1960, the said Rosa S. Hundley and the said Alford J. Hundley were named as joint tenants with right of survivorship in that certain warranty deed from A. L. Blankenship and wife, Annie M. Blankenship, and Jessica Ingram, a single woman. By said deed, which was recorded on March 23, 1960, in Book 208, Page 142, in the Probate Office of Shelby County, Alabama, the said Rosa S. Hundley and husband, Alford J. Hundley, took title to the following real property situated in Shelby County, Alabama, and legally described as follows:

Tract 21 of the Jessica Ingram survey of the NE 1/4 of Section 31, Township 18 South, Range 1 West, according to map as recorded in Map Book 3, Page 54, in the Probate Office of Shelby County, Alabama. Minerals and mining rights excepted.

The said Alford J. Hundley died on July 3, 1975, whereupon the title to the above described realty passed solely to the said Rosa S. Hundley under the survivorship provisions of the said recorded deed. The said Rosa S. Hundley was living on the above described realty at the time of her death. Although the said Rosa S. Hundley left a last will and testament, the same has not been probated, and there has been no administration on her estate, and none is expected thereon. Since the death of the said Rosa S. Hundley, however, by mesne conveyances between them, the said Mary Elizabeth Sellman Summer now owns the West 1/2 of the said tract (or lot) 21, and the said Anna Maybelle Hundley owns the East 1/2 thereof, together with her daughter, Janice Hundley Thomason.

Although I have known generally about the above said deeds and property, my memory recently was refreshed in regard thereto, by Walter Cornelius, an Attorney at Law, who is examining the title thereto, and who showed me copies of said deed. I recall when Rosa and Alford Hundley acquired said realty, and have visited the said Rosa Hundley while she was living on said realty following the death of the said Alford J. Hundley. I have never heard the title of the said Rosa S. Hundley, or that of her said daughters - Anna Maybelle Hundley and Mary Elizabeth Summer - in any way questioned or disputed by anyone whomsoever.

I have no interest, past, present or future, in said realty, and make this affidavit simply to set forth the family relationships of the above named successors and heirs to the legal title and ownership thereof.

WITNESS MY HAND AND SEAL on this the 24th day of July, 1992.

Jo Ann Borgan Radue
Jo Ann Borgan Radue

Sworn to and subscribed before me on this the 24th day of July, 1992.

Mary F. McEntosh
NOTARY PUBLIC

MY COMMISSION EXPIRES:

My Commission Expires May 18, 1998

Inst # 1992-20580
09/20/1992-20580
11:19 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 NJS 9.00

Inst # 1992-20580