AFFIDAVIT

STATE OF ALABAMA

GOUNTY OF JEFFERSON

# 558

Before me, Beatrice H. Swint, a Notary Public, in and for said county in said State, personally appeared Mary E. Isbell, who after being first duly sworn, deposes and says:

My name isMary E. Isbell. I am 66 years of age. I live at Leeds, Alabama. I am sometimes referred to as M.E. Isbell and I have occasionally signed my name as M.E. Isbell.

I am the widow of J.H. Isbell (John H. Isbell), who died on the 6th day of July, 1941. He left surviving him the following children, who are the heirs at law and all the heirs at law, to-wit: Nervie I. Isbell, Kelly Isbell, Lydia I. Alexander, Madison Isbell, Lonie I. Minor, Flerdie I. Isbell, Oliver Isbell and Earl Isbell. At the time of the death of my husband, the said J.H. Isbell, all of the above named children were over the age of twenty one years and they are all living at this time.

At the time of the death of my husband, the said J.H. Isbell, he had only a few small debts and these debts were paid by me in the fall of 1941, after our crop was gathered. There has never been any administration of the estate of my husband, J.H. Isbell.

On July 9th, 1947, I and my children and their husband and wives, with the exception of Oliver Isbell and Earl Isbell, who had previously renouced their interest in said property, deeded the following described property to Mr. C.O. Fendley; Sr., and wife, Lillie Mae Fendley, which said deed is recorded in Deed Book 130 at page 41 in the Office of the Probate Judge of Shelby County, Alabama, to-wit:

 $SE_{\overline{4}}^{1}$  of  $NE_{\overline{4}}^{1}$  and the West one-half of  $NE_{\overline{4}}^{1}$  of Section 3, Township 18, Range 1 East; situated in Shelby County, Alabama.

My hasband, the saidJ.H. Isbell, purchased the following described property from J.F. Alexander in the year 1926, to-wit: The West one-half of the NE4 of Section 3, Township 18, Range 1 East, Shelby County, Alabama, At the time that my husband purchased said property from the said J.F. Alexander, Mr. Alexander gave my husband a Warranty Deed to said above described property. Mr. Alexander's deed to the property from the Alabama State Land Company which he received at the time that he purchased the said W½ of NE4 of Sec. 3, Tp 18 R 1 E had not been recorded at the time my husband purchased the property, so at the close of the transaction Mr. Alexander gave my husband the deed from the Alabama State Land Company to J.F. Alexander to have recorded in Shelby County Probate Court.

We never had these deeds recorded and they were later misplaced and destroyed by fire: after the death of my said husband, J.H. Isbell, I obtained a quit claim deed from Mr. J.F. Alexander under date of January 5th,

1942 which said deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Bookl15 at page 22, said deed being in lieu of the lost deed from J.F. Alexander to J.H. Isbell, and covering the following described property to-wit:

West one-half of NE4 of Section 3, Township 18, Range 1 East, Shelby County, Alabama.

My husband, the said J.H. Isbell, annually assessed and paid the taxes on the above described property from the date of the purchase from J.F. Alexander to the date of his death in 1941, at which time I entered into possession and annually assess and paid the taxes on said property until it was conveyed to C.O. Fendley, Sr., and wife, Lillie Mae Fendley in the year 1947.

Mary E. Isbell

Subscribed and sworn to before me this the 14th day of October, 1949.

Beatrice H. Swint

Notary Public

NOTARIAL SEAL

Filed in the office of the Probate Judge the 10th day of November, 1949 at 12 o'clock Noon and recorded in the 28th day of November, 1949.

NO TAX DUE ON THIS INSTRUMENT

L.C. Walker, Judge of Probate