

4141

AFFIDAVIT

BOOK 108 PAGE 49

STATE OF ALABAMA

SHELBY COUNTY

Before me, Carey B. Kyle, the undersigned authority in and for said county in said state, personally appeared Mrs. J. M. Sims who, after being by me first duly sworn to speak the truth, deposes and says:

My name is Mrs. J. M. Sims. I am one and the same person as L. A. Ray who joined with P. T. Ray on October 13, 1910, in executing a deed to B. C. McKinnon, which deed is recorded in Deed Book 49 Page 283 in the Probate Office of Shelby County, Alabama. Said deed covered certain property therein described. It has been called to my attention that a deed dated January 3, 1889, from R. A. O'Hara, Administrator of Estate of F. M. Pitts, deceased, to Thelbert P. Ray and recorded in Deed Book 12 Page 531 in said Probate Office did not describe the NE<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub> of Section 36, Township 20, Range 1 East; however, affiant knows that the said P. T. Ray, being one and the same person as Thelbert P. Ray, his full and correct name being Peterson Thelbert Ray, did own and claim said forty acres of land until the same was sold to B. C. McKinnon on October 13, 1910, as mentioned above. It has been called to affiant's attention that said deed did not correctly describe NE<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub> of said Section 36; however, affiant says that it was the intention of her and her husband to convey to said B. C. McKinnon said forty acres of land and she knows B. C. McKinnon went into possession of said forty acres of land immediately after he purchased the same under said deed and he occupied it as his own.

Affiant further says that Peterson Thelbert Ray died on July 19, 1916, without leaving a Will and that his sole heirs at law were affiant/<sup>his widow</sup> and one son whose name is P. T. Ray. Said son was an unmarried man on December 24, 1920, when he joined with me in executing a deed to Mrs. Fannie Pratt Smith covering said land described therein, which said deed is recorded in Deed Book 69 Page 352 in said Probate Office. Affiant further says that since the date said deed was executed to Mrs. Fannie Pratt Smith that affiant has married and her name is now Mrs. J. M. Sims.

Mrs. J. M. Sims  
Mrs. J. M. Sims

State of Georgia

Shelby County

Sworn to and subscribed to by Mrs. J. M. Sims before me this 21st

day of April, 1954.

My commission expires:

Carey B. Kyle  
Notary Public at Large  
My Commission Expires May 21, 1955

Filed in the office of the Probate Judge on the 3 day of Sept 1954 at 10 o'clock P.M.  
and recorded in Deed Book 108 Page 49 this 9 day of Sept 1954.  
Deed Tax \_\_\_\_\_ Mortgage Tax \_\_\_\_\_ has been paid.

J.C. Walker, Judge of Probate