

3447
STATE OF ALABAMA

SHELBY COUNTY

Before the undersigned authority personally appeared ^{BOOK 195} Handy PAGE 6
Ellis, who is known to me, and who being by me first duly sworn,
deposes and says:

Mr. A. B. Bristow has engaged my services in perfecting title
to something over 500 acres of land that he has agreed to sell to
Gulf States Paper Corporation and among this property is the SW $\frac{1}{4}$ of
SW $\frac{1}{4}$ of Section 22, Township 24, Range 15 East, Shelby County, Alabama.

The abstract to this forty shows that Sarah Vanderslice
obtained a patent to this property from the United States of America
on June 30, 1891, which patent is recorded in the Probate Office of
Shelby County, Alabama, in Deed Book 192, page 497.

The abstract further shows that Sarah Vanderslice, the patentee,
deeded this forty acre tract to Lucy Baxley, by deed dated April 3,
1909, and recorded in the Probate Office of Shelby County, Alabama, in
Deed Book 39, page 523. The abstract shows no title out of Lucy
Baxley.

The abstract further shows that this forty acre tract of land
and other land was assessed to J. I. Harden for 1930 taxes and that on
the 7th day of September, 1931, it was sold for taxes under said
assessment, and was bought in by R. G. Cosper. This tax sale is revealed
in Tax Sale Record 10, page 350, in the Probate Office of Shelby County,
Alabama.

Said R. G. Cosper obtained a tax deed to the property as shown
in Deed Book 101, page 469, in the Probate Office of Shelby County, Alabama,
and on February 9th, 1938, R. G. Cosper deeded a one-half interest in the
property to R. O. Lauderdale, and this deed is recorded in the Probate
Office of Shelby County, Alabama, in Deed Book 104, page 417.

The abstract further shows that on September 9th, 1941, R. G.
Cosper and R. O. Lauderdale and their respective wives deeded this and
other property included in the tax sale to A. B. Bristow, which deed is
recorded in the Probate Office of Shelby County, Alabama, in Deed
Book 112, page 165.

BOOK 195 PAGE 02

Recently Mr. J. I. Harden has executed a deed to A. B. Bristow conveying this forty and other lands included in the tax sale and this deed has been recorded.

Mr. Karl C. Harrison in opinion to Gulf States Paper Corporation, dated July 9th, 1958, called attention to the fact that no title is shown out of Lucy Baxley and our problem has been to try to find Lucy Baxley or her heirs at law and we have been wholly unable to find Lucy Baxley. One of the persons we contacted was Kib Curtis who lives in Talladega County. He is a man 73 years of age and he told us there were three Baxley sisters and that Lucy Baxley was probably one of them and that one John Farris married one of them and the other one, not Lucy, lived nearby and had some children by him, but, of course, that was merely hearsay. He knew practically nothing about Lucy Baxley and I am not sure that he actually knew she was one of the three sisters. Anyway, he could not tell us whether she was married or single, or whether she was living or dead.

We then contacted Mr. Joe Curtis, who lives South of Shelby, Alabama, and not too far distance from the land under consideration. He stated that he knew Sarah F. Vanderslice, who is the same person as as Sarah Vanderslice, the patentee, and in fact he was married in her home on the land in question something like fifty years ago. He said soon after that Sarah Vanderslice sold the property to a woman by the name of Lucy Whitehead as he recalls and that the grantee paid \$50 for it. It is possible, of course, that the Baxley woman was a Whitehead and married a Baxley. He states also that Lucy Baxley or Lucy Whitehead who purchased the land never did live on the property and never did live anywhere in that community or area, but that she did live at that time in Birmingham, as he understood it, and he had no knowledge of whatever became of her or whether she was married or not, or whether she ever had any children or not.

We then contacted Mr. Robert Baxley, who lives at Fayetteville, Alabama, who was a son of one John Baxley, in the hope that we could find out something about Lucy Baxley, and in his home was Mrs. Sula Baxley Lovett, his sister, who was apparently some 65 or 70 years of age.

-3-

They were not clear at all about Lucy Baxley although we revealed to them that we had reason to believe she was the sister of their father, John Baxley. They stated that John Baxley, their father, died many years ago and his wife is dead, and he left surviving him a daughter Alberta Baxley Willis who lives in Birmingham, and Robert (Bob) Baxley, a son, who lives at Fayetteville, and Sula Baxley Lovett, whom we interviewed as aforesaid. They had another sister Minnie Baxley, who is dead, and they gave me the name of more children of John Baxley. In our interviews with these people we asked them whether Lucy Baxley had children or not or whether she was still living and they could not tell us, and we then asked who the brothers and sisters of John Baxley were, who, of course, would be our informants' uncles and aunts. They said their father had a brother named Bud Baxley, one named George Baxley, one named Ed Baxley, all of whom were dead, and had a sister named Nan Baxley who married Frank Marcus, both of whom are dead and left no children, a sister named Clemmie Baxley Shrader, who married Jack Shrader and both she and her husband are dead. They also gave us the names of the children and heirs of Clemmie Baxley Shrader, but they could not tell us anything about Lucy Baxley but they thought probably she was a sister of Ed Baxley and Nan Baxley, but were in no ways certain about it.

The next person we interviewed was a man named Dixon Baxley, who lived at Weoguka and he was 74 years of age. He named quite a number of Baxleys who were residents of Shelby County, Alabama, but who were dead and he never had heard of Lucy Baxley. While we were interviewing Mr. Baxley, his wife, who was Kate Bradford whom I had known for many years, called a Mrs. Farr over the telephone and I found out she was a daughter of Ed Baxley, one of the brothers of John Baxley hereinabove referred to. She stated that Nan Baxley, her aunt, who was a sister of Ed Baxley, died at her home several years ago and that they had never heard of anyone named Lucy Baxley and that they never heard of a sister of John Baxley by that name.

We also contacted Mr. A. B. Baxley of Calera, Alabama, and Lester Crawford of Shelby, Alabama, and Alex Etress of Shelby, Alabama,

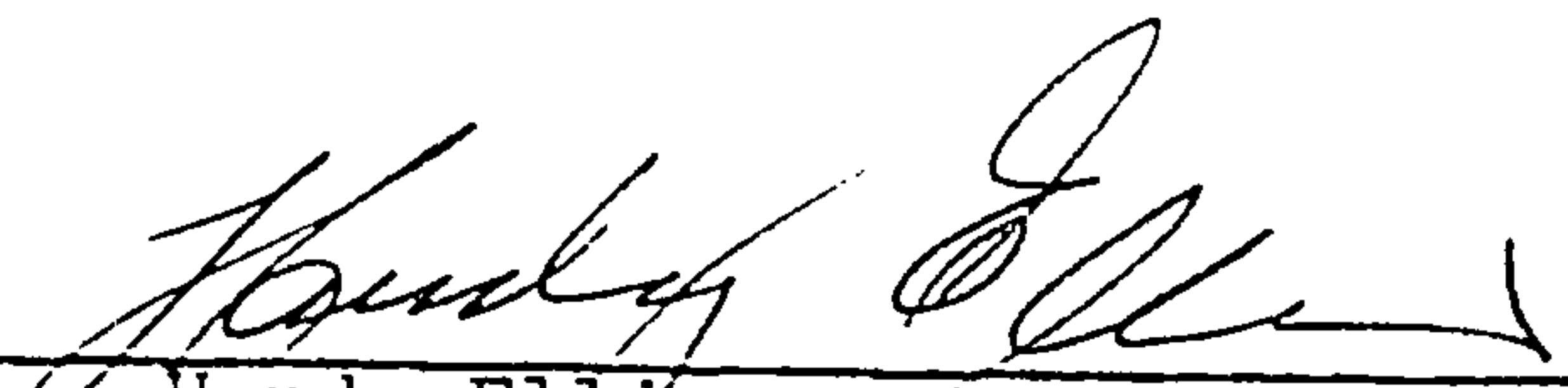
the latter living not too far distant from the land in question, and none of them could give us any information about Lucy Baxley.

We were informed by Mrs. Sula Baxley Lovett and Robert Baxley, above referred to, that Clemmie Baxley Shrader left ^{who} children, Flora Schrader Burton and Phebie Shrader Godwin, the latter having died many years ago.


Mr. Bristow interviewed Mrs. Flors Shrader Burton and she stated that she never remembered Lucy Baxley living in that community where this land is situated and with which she was familiar. I was not with Mr. Bristow when he interviewed Mrs. Burton but he reported to me and he is present when I am making this affidavit.

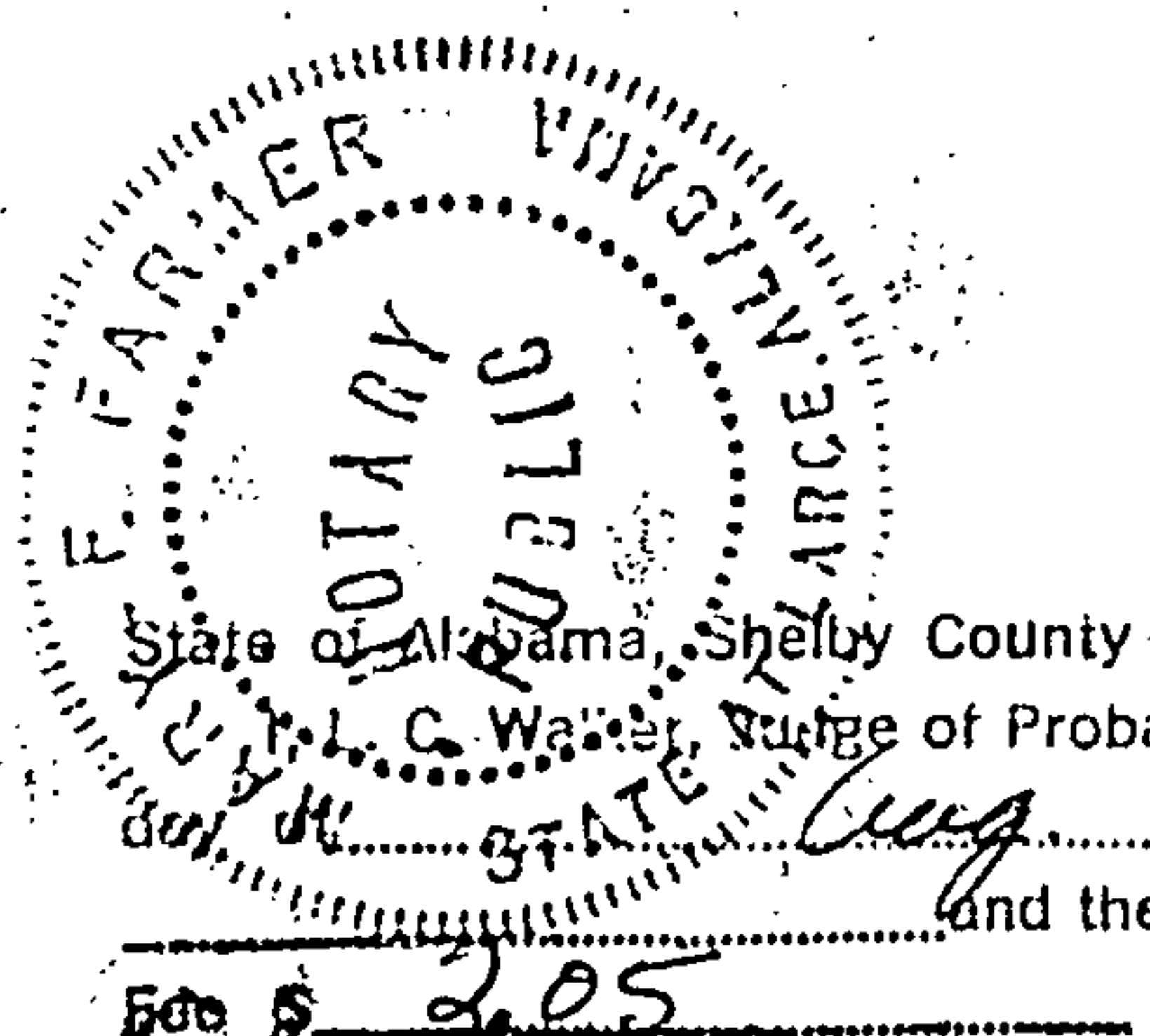
Mr. J.I. Harden, above referred to, stated to me when he came down to make the deed aforesaid that he thought he had an unrecorded deed on this particular forty but was not at all sure about it and did not recall how he came into possession of the property. I have written him about it and he has replied that he has been unable to locate the deed, but if he should ever locate it he will send it to me.

I conclude therefore that the heirs at law and next of kin of Lucy Baxley are unknown and we have been wholly unable to find out anything about her more than is set out in this affidavit.


Handy Ellis

Sworn to and subscribed to before me
on this the 18th day of August, 1958.


Notary Public
State at Large for Alabama



and the Mortgage Tax of \$.....Deed Tax of \$.....has been paid.
Fee \$ 2.05
Affidavit was filed in this office for record the 20th day of August, 1958 at 10 o'clock P.M. and recorded in Book 194 Page 01 & examined 9/28/58
C. L. C. Walker Judge of Probate