

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

A F F I D A V I T

This instrument was prepared by:
MALCOLM TANNER, Attorney
508 Twenty One Office Plaza
BIRMINGHAM, ALA. 35205

Before me, the undersigned authority in and for said County and State
this day personally appeared MALCOLM TANNER, who after first having been
duly sworn deposes and says as follows:

That CLEMMIE MYRICK owned the following described property located
in Shelby County, Alabama:

A tract of land in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$
Section 24, Township 19, Range 1 East, more particularly
described as follows: Begin at a point on the South line of
the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ which point is 495 feet East of the Southwest
corner of said forty and run North and parallel with West line
of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ and West line of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ to the South right
of way line of Florida Short Route Highway; thence Easterly direction
along South right of way line of said highway to a point which is 825
feet East of West line of said forty; thence South and parallel with
West line of said SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of SW $\frac{1}{4}$ to a point of South
line of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 24; thence West along South line of
NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section a distance of 330 feet to point of beginning;

she having acquired title by warranty deed from Marie G. Barranco, such deed
dated January 29, 1959, and filed for record in Book 199, Page 274, office of
Judge of Probate of Shelby County, Alabama.

That the said CLEMMIE MYRICK died May 7, 1963, an unmarried widow,
having no debts and leaving surviving her as her next of kin and only heirs at
law a daughter, SYLVIA M. WILLIAMS, a daughter, LUZELLE L. SMOAK, and a
daughter, MARGARET M. COOK, these children being all the children of CLEMMIE
MYRICK, deceased.

That affiant is a practicing attorney with offices at 508 - 21 Office Plaza,
Birmingham, Alabama 35205; that he serves as legal representative of the estate of
CLEMMIE MYRICK, deceased; that he has seen a will by which said CLEMMIE MYRICK
devised and bequeathed all property, real and personal, to her daughter, SYLVIA M.
WILLIAMS, and her daughter, LUZELLE L. SMOAK, and her granddaughter, SHIRLEY ANN
COOK HAZOURI. That the only particular in which such will departed from the pattern
of the statute of descent and distribution in Alabama was the provision for SHIRLEY
ANN COOK HAZOURI. That the estate was small with no debts and there were some
personal references in said will which were of an uncomplimentary nature.

That by agreement among all parties named in said will and all parties
who would take by statute of descent and distribution, i.e., SYLVIA M. WILLIAMS,
LUZELLE L. SMOAK, MARGARET M. COOK, and SHIRLEY ANN COOK HAZOURI,

the will was not filed for probate and a deed was executed by MARGARET IRENE COOK who is the same person as MARGARET M. COOK by which an undivided one-sixth interest in and to the above described property was conveyed to SHIRLEY ANN HAZOURI, such deed being recorded July 2, 1963, in Volume 226 Page 84 in Office of Judge of Probate of Shelby County, Alabama, it being the expressed intent of all parties that such conveyance be considered a settlement of the estate of CLEMMIE MYRICK, deceased, as among themselves.

Malcolm Tanner
Malcolm Tanner
J.C. FILE NO. 1968-103
REBK. & PAGE AS SHOWN ABOVE
CONFIRMED
JUDGE OF PROBATE
1968 FEB 26 PM 9:07
STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT WAS FILED

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that MALCOLM TANNER, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 30 day of January, 1968.

Margie C. Roberts
Notary Public
LY Commission Expires May 22, 1971
STATE OF ALABAMA
NOTARY PUBLIC
MARGIE C. ROBERTS

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