

STATE OF ALABAMA

SHELBY COUNTY


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 Shelby Cnty Judge of Probate, AL  
 03/06/1972 12:00:00 AM FILED/CERT

Before me, the undersigned authority in and for said County in said State, personally appeared Ernest C. Merrell, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is Ernest C. Merrell. I am 45 years of age and am a son of R. L. Merrell, deceased, and his wife Willard Merrell. I am also a nephew of Ella Merrell. I presently own the E $\frac{1}{2}$  of NW $\frac{1}{4}$  of Section 7, Township 22 South, Range 1 East, Shelby County, Alabama. It is family knowledge that Fannie Belle Seale, who was my great aunt, formerly owned all of said 20 acres except an 8 acre tract off the NE corner which is the same tract that my father, R. L. Merrell purchased from Thurman Juzan and wife, Ella Juzan on March 30, 1961 as shown by Deed Book 214, page 622 in the Probate Office of Shelby County, Alabama. I am informed that the deed into my said father did not describe the said tract in detail but I know that the land conveyed was one and the same as a 590 ft. square tract of land off the NE corner of said 30 acres. When the said Fannie Belle Seale died, Mary Ella Merrell, being the same as Ella Merrell, served as her Administratrix and it is called to my attention that she filed a claim in March of 1951 against the estate of the said Fannie Belle Seale for \$2500.00 for nursing and caring for the said Fannie Belle Seale. It is also common knowledge in my said family that the said land was conveyed to Mary Ella Merrell by some of the heirs of the said Fannie Belle Seale in full settlement of said claim which the said Ella Merrell had filed against said estate and thereafter the said Ella Merrell did not make any claim against said estate or contend that said estate owed her anything. I also know the said Ella Merrell went into immediate possession of said property when the same was conveyed to her in 1951 by said heirs as shown by deed recorded in Deed Book 166, page 3 in the Probate Office of Shelby County, Alabama and assessed and occupied the same as the owner until she executed a warranty deed to said land to my father, R. L. Merrell on July 23, 1959 as shown by deed recorded in Deed Book 203, page 62 in said Probate Office. At the time said deed was made, I know that the said Ella Merrell claimed to own said land in fee simple and ~~xxxxx~~ <sup>claimed to own</sup> the entire interest therein. The said Ella Merrell has been dead since about February, 1964, and as said above, she never contended that she had any claim against said estate after said land was conveyed to her. I obtained title to the said land from my mother and sister and they obtained title from my father. For the purpose of clearing any defects in the title, I have also obtained quit claim deeds from all of the heirs of Fannie Belle Seale/mentioned above in this affidavit, and R. L. Merrell. When I speak of having obtained deeds

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out of the heirs of Fannie Belle Seale, Mary Ella Merrell, and R. L. Merrell covering said land, I refer to all of said 80 acres except 8 acres off the NE corner. My title to that 8 acres comes through R. L. Merrell and he obtained his title from Thurman Juzan and his wife, who obtained title from Lucy Smedley.

Ernest C. Merrell

Sworn to and subscribed to before me on this  
the 11th day of April, 1970.

Martha B. Joines  
Notary Public

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1972 MAR -6 AM 10:12  
U.C.C. FILE NUMBER OR  
REC. BK. & PAGE AS SHOWN ABOVE  
*Conrad M. Smith*  
JUDGE OF PROBATE