

AFFIDAVIT

STATE OF ALABAMA)

JEFFERSON COUNTY)



19761203000116850 1/2 \$.00
Shelby Cnty Judge of Probate, AL
12/03/1976 12:00:00 AM FILED/CERT

Before me, the undersigned, a Notary Public in and for said county in said state, personally appeared Elzilah Pearson Finley, who is known to me and who, being first duly sworn according to the law, deposes and says:

1. My name is Elzilah Pearson Finley. I and my brother, Joe Price Pearson, are the sole surviving children and next of kin of our parents, Laura Pearson and J. J. Pearson, and said Laura Pearson and J. J. Pearson were not survived by any other child or children, or any descendant or descendants of any deceased child or children of theirs.

2. By Warranty Deed dated April, 1927, recorded in Deed Record, Volume 79, Page 447, in the office of the Judge of Probate of Shelby County, Alabama, Laura Pearson and J. J. Pearson conveyed to The Birmingham Institute and Sanitarium, Incorporated, (along with other property) the following described real estate ("subject land"), to-wit:

The W. 1/2 of S.E. 1/4 of Section 16; the W. 1/2 of N.E. 1/4; and W. 1/2 of E. 1/2 of N.E. 1/4, of Section 21; all in Township 18, Range 1 East.

This conveyance is subject to a condition in said deed to the effect that if the property conveyed thereby is not used for a school and sanitarium for colored boys and girls, then "all right, title and interest of said The Birmingham Institute and Sanitarium, Incorporated, shall be divested from said corporation, and into the grantors, their heirs or assigns, forever."

3. The property described in the 1927 deed (which in-

BOOK 17 PAGE 641



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cluded subject land) ceased to be used for a school and sanitarium for colored boys and girls with the closing of the school year in 1963-1964, and has not since that date been used for the purpose for which the 1927 conveyance was made.

Accordingly, whatever interest in subject land was conveyed by the 1927 deed to The Birmingham Institute and Sanitarium, Incorporated, reverted to Elzilah Pearson Finley and Joe Price Pearson sometime in 1960.

Elzilah Pearson Finley
Affiant - Elzilah Pearson Finley

Sworn and subscribed to
before me this 19th day
of November, 1976.

Barbara M. Hanger
Notary Public

17 PAGE 642

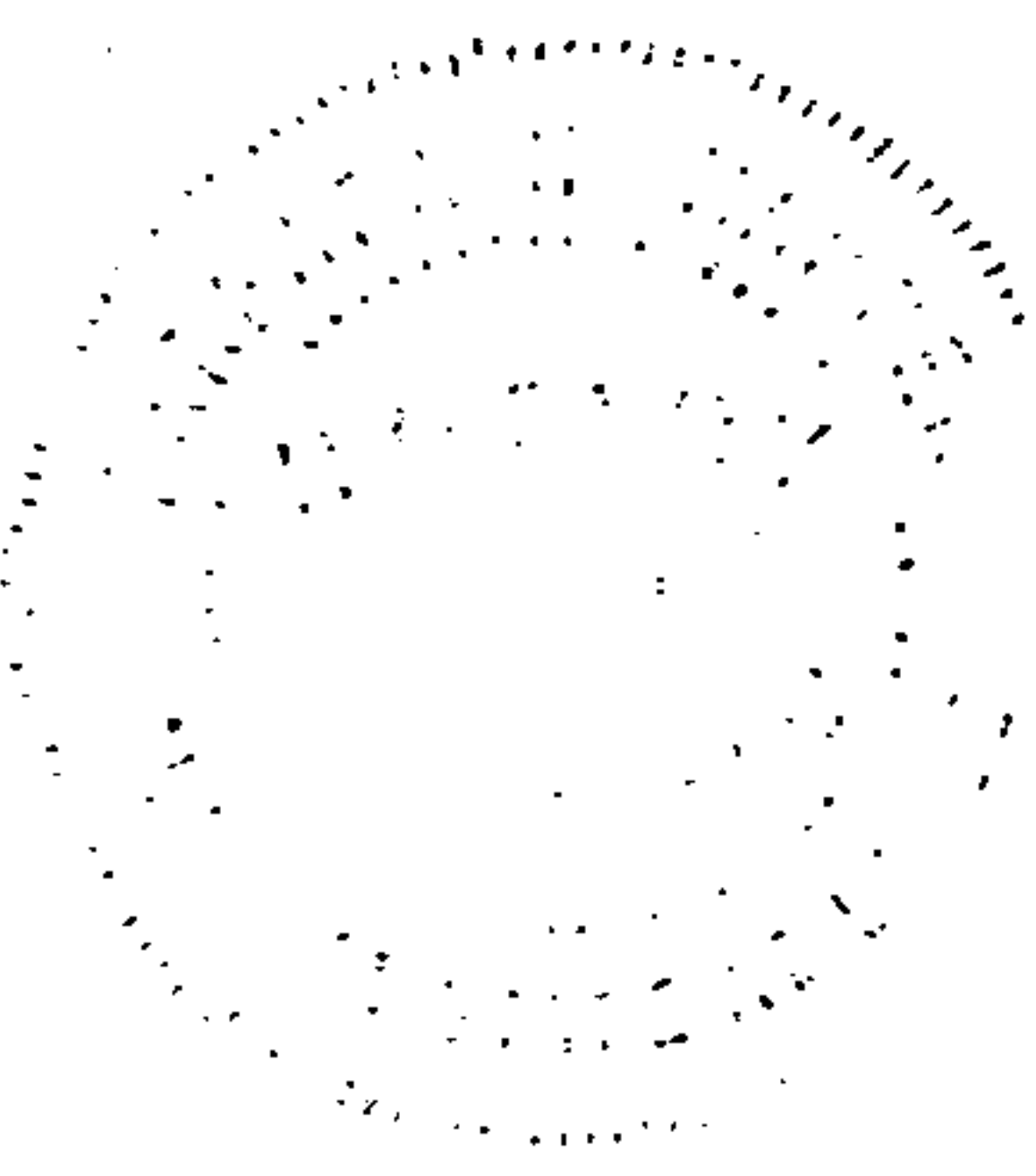
BOOK

The undersigned, Joe Price Pearson, has reviewed the averments of the above affidavit and by his signature hereto declares each and all averments to be true and correct.

Joe Price Pearson
Affiant - Joe Price Pearson

Sworn and subscribed to
before me this 19th day
of November, 1976.

Barbara M. Hanger
Notary Public



CONFIDENTIAL
JUDGE OF PROBATE

1976 DEC -3 PM 2:21
INSTITUTION WAS FILED
STREET, BIRMINGHAM, AL.