

210.3

AFFIDAVIT

STATE OF ALABAMA)

JEFFERSON COUNTY)

19761214000120610 1/2 \$.00
Shelby Cnty Judge of Probate, AL
12/14/1976 12:00:00 AM FILED/CERT

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

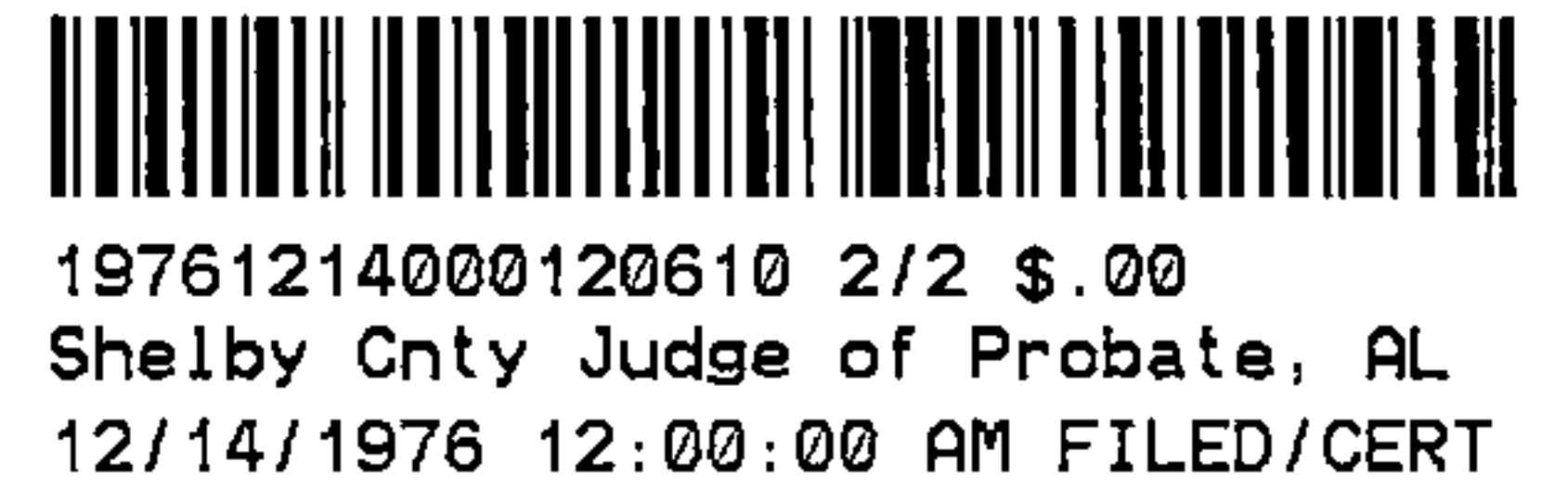
1. I, Hattie Young, am an adult over the age of twenty-one (21) years, residing at 287 9th Court North, Birmingham, Alabama, and having personal knowledge of the facts hereinafter recited.

2. Elzilah Pearson Finley and her brother, Joe Price Pearson, are the sole surviving children and next of kin of their 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.

3. 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."

4. The property described in the 1927 deed (which included 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.

Hattie Young
Affiant - Hattie Young

Sworn and subscribed to
before me this 26th day
of November, 1976.

Melvin M. Curry
Notary Public

Notary Public, Alabama State at Large
My Commission Expires November 21, 1980
Bonded by Home Indemnity Co. of N. Y.

Carroll H. Jones
JUDGE OF PROBATE

1976 DEC 14 PM 12:20
SHIRLEY A. WILKINSON
CLERK OF PROBATE
INSTRUMENT WAS FILED

This instrument was prepared by

Don B. Long, Jr.
Johnston, Barton, Proctor, Swedlaw
& Naff
12th Floor, Bank for Savings Building
Birmingham, Alabama 35203