

STATE OF ALABAMA )

SHELBY COUNTY )

2009

AFFIDAVIT OF RUBY ROWE PHILLIPS

19770923000100750 1/3 \$.00  
Shelby Cnty Judge of Probate, AL  
09/23/1977 12:00:00 AM FILED/CERT

My name is Rubye Rowe Phillips. I reside at 4313 Avenue "L", Belview Heights, Birmingham, Alabama 35208. I am the daughter and only child of R. A. Rowe and Clevia Rowe, who was also known as Cleva Rowe. My father, R. A. Rowe, died in 1964. He left a will which was duly probated in Shelby County, Alabama. My mother died on February 12, 1970, a resident of Shelby County, Alabama. A copy of her death certificate is attached to this affidavit as Exhibit "A". I am the only heir-at-law and next-of-kin of my mother. I am the same Rubye Rowe Phillips named in my father's will as the vested remainderman after my mother's life estate. My mother died intestate leaving no outstanding debts.

I am the owner of real property situated in Shelby County, Alabama, more particularly described as follows:

A portion of the S 1/2 of the NW 1/4 of the NE 1/4, the N 1/2 of the SW 1/4 of the NE 1/4, and the N 1/2 of the SE 1/4 of the NE 1/4 of Section 2, T-21-S, R-3-W more particularly described as follows: begin at the SW corner of the N 1/2 of the SW 1/4 of the NE 1/4 of Section 2, T-21-S, R-3-W and run easterly along the south side of the said N 1/2 for 603.00 feet to the point of beginning. Then continue easterly along the south side of the said N 1/2 for 529.88 feet to a point on the west right-of way of State Highway No. 119, then turn an angle of 57° 13' 19" to the left and run northeasterly along the said right-of-way for 307.74 feet, to the beginning of a circular curve concave northwesterly and having a radius of 1638.59 feet, then turn an angle of 2° 48' 21" to the left and run northeasterly along a chord of said curve for 160.43 feet to a point on the west right-of-way of said Highway, said point also being in the centerline of John Allen Branch, then turn an angle of 83° 18' 52" to the left and run northwesterly for 126.60 feet to a point in the centerline of said branch, then turn an angle of 1° 42' 10" to the left and run northwesterly for 94.04 feet to a point in the centerline of said branch, then turn an angle of 3° 39' 53" to the right and run northwesterly for 215.68 feet to a point in the centerline of said branch, then turn an angle of 3° 27' 06" to the left and run northwesterly for 185.79 feet to a point in the centerline of said branch, then turn an angle of 1° 00' 24" to the right and run northwesterly for 90.27

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BOOK

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feet to a point in the centerline of said branch, then turn an angle of 37° 09' 03" to the left and run westerly along a fence for 176.72 feet, then turn an angle of 1° 32' 05" to the left and run westerly along a fence for 202.21 feet, to a point on the east right-of-way of L & N Railroad, then turn an angle of 66° 31' 41" to the left and run southwesterly along the said right-of-way for 657.65 feet, then turn an angle of 112° 15' to the left and run easterly for 210.75 feet, then turn an angle of 3° 55' to the left and run easterly for 101.10 feet, then turn an angle of 96° 28' 47" to the right and run southerly for 35.08 feet, then turn an angle of 91° 18' 27" to the left and run easterly for 99.65 feet, then turn an angle of 90° 22' to the right and run southerly for 175.00 feet back to the point of beginning, containing 14.921 acres.

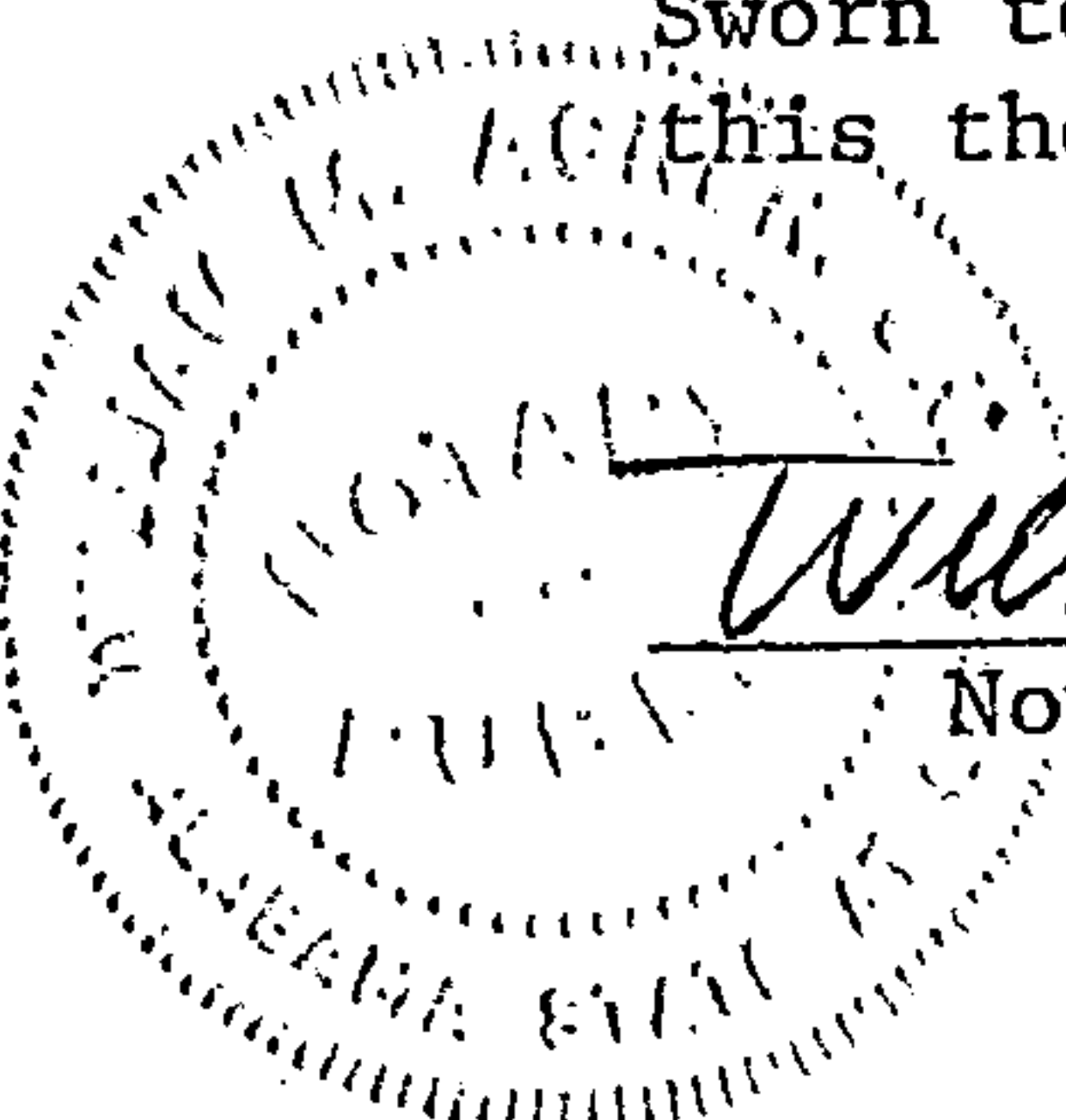
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After my mother died I immediately assessed this property in my name for ad valorem taxes, and I have paid the taxes since that time, and no one else has assessed it or claimed in any way to own the property. From the time my parents bought this property it was continuously occupied by one or both of them until she died in 1970, and no one else claimed to own any of it except for two parcels out of the original purchase which my parents sold off and conveyed to Goggins and Dunlap by recorded deeds. There have never been any boundary line disputes or other problems with the title. I have examined the recent survey of the property done at my request by William L. Egan, licensed surveyor, under date of September 2, 1977. This survey conforms to my recollection and understanding of the boundary lines and correctly locates the structures on the property. The East-West boundary had a fence on it when my parents bought the property. This fence has never been moved, so it is the same old fence line as shown on the recent survey by William L. Egan.

*Ruby Rowe Phillips*  
Ruby Rowe Phillips

Sworn to and subscribed before me  
this the 14<sup>th</sup> day of September, 1977.

*William M. Ackroyd*  
Notary Public



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CERTIFICATE OF DEATH  
STATE OF ALABAMA

1. PLACE OF DEATH a. COUNTY <b>Jefferson</b>		BEAT NO. <b>37020</b>	2. USUAL RESIDENCE (Where deceased lived. If institution: Residence before admission) a. STATE <b>ALA</b>		b. COUNTY <b>Shelby</b>
b. CITY, TOWN, OR LOCATION <b>Birmingham</b>		c. IS PLACE OF DEATH INSIDE CITY LIMITS? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		c. CITY, TOWN, OR LOCATION <b>SILVERIA</b>	
d. NAME OF HOSPITAL OR INSTITUTION <b>South Highlands</b>		e. LENGTH OF STAY IN IS		d. STREET ADDRESS <b>RT # 1</b>	
3. NAME OF DECEASED (Type or print) First <b>CLEVA</b> Middle <b>HARRIS</b> Last <b>ROWE</b>		4. DATE OF DEATH Month <b>2</b> Day <b>24</b> Year <b>70</b>		e. IS RESIDENCE INSIDE CITY LIMITS? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> ON A FARM? YES <input type="checkbox"/> NO <input type="checkbox"/>	
5. SEX <b>F</b>	6. COLOR OR RACE <b>N</b>	7. MARRIED <input type="checkbox"/> NEVER MARRIED <input type="checkbox"/> WIDOWED <input checked="" type="checkbox"/> DIVORCED <input type="checkbox"/>	8. DATE OF BIRTH <b>7-22-1889</b>	9. AGE (In years last birthday) <b>80</b>	IF UNDER 1 YEAR Months Days Hours Min.
10a. USUAL OCCUPATION (Give kind of work done during most of working life)		10b. KIND OF BUSINESS OR INDUSTRY		11. BIRTHPLACE (State or foreign country) <b>Alabama</b>	
12. CITIZEN OF WHAT COUNTRY? <b>U.S.A.</b>		13. FATHER'S NAME <b>William Harris</b>		14. MOTHER'S MAIDEN NAME <b>Elizabeth Choppell</b>	
15. WAS DECEASED EVER IN U. S. ARMED FORCES? (Yes, no, or unknown) (If yes, give war or dates of service) <b>NO</b>		16. SOCIAL SECURITY NO.		17. INFORMANT'S NAME <b>M. A. Phillips</b> Address <b>4313 - 11th St</b>	
18. CAUSE OF DEATH (Enter only one cause per line for (a), (b), and (c).) PART I. DEATH WAS CAUSED BY: IMMEDIATE CAUSE (a) <b>Acute Myocardial Infarction</b> Conditions, if any, which gave rise to above cause (a), stating the underlying cause last. <b>Intermittent Heart Disease</b> DUE TO (b) _____ DUE TO (c) _____ PART II. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO THE TERMINAL DISEASE CONDITION GIVEN IN PART II(a) _____					INTERVAL BETWEEN ONSET AND DEATH <b>unknown</b>
20a. (Probably) ACCIDENT SUICIDE HOMICIDE <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		20b. DESCRIBE HOW INJURY OCCURRED. (Enter nature of injury in Part I or Part II of item 18.)			
20c. TIME OF HOUR Month, Day, Year INJURY a. m. p. m.					
20d. INJURY OCCURRED WHILE AT NOT WHILE WORK <input type="checkbox"/> AT WORK <input type="checkbox"/>		20e. PLACE OF INJURY (e. g., in or about home, farm, factory, street, office)		20f. CITY, TOWN, OR LOCATION COUNTY STATE	
21. I attended the deceased from <b>3-17-50</b> to <b>2-24-70</b> and last saw her alive on <b>2-24-70</b> Death occurred at _____ m on the date stated above; and to the best of my knowledge, from the causes stated.					
22a. SIGNATURE <b>John T. Sumner</b> (Degree or title)		22b. ADDRESS <b>1370 40. 19th Street</b>		22c. DATE SIGNED <b>2-26-70</b>	
23a. BURIAL, CREMATION, REMOVAL (Specify) <b>BURIAL</b>		23b. DATE <b>2-26-70</b>		23c. NAME OF CEMETERY OR CREMATORY <b>Elmwood</b>	
23d. LOCATION (City, town, or county) <b>Birmingham, ALA</b>		23e. DATE RECD. BY LOCAL REG. <b>MAR 6 1970</b>		23f. REGISTRAR'S SIGNATURE <b>Felix E. Hartley</b>	
24. FUNERAL DIRECTOR <b>RIDOUT'S VALLEY CHAPEL</b> 1800 OXMOOR ROAD					

STATE OF ALABAMA  
COUNTY OF JEFFERSON

This is to certify that the above is a copy of a certificate as filed in the Bureau of Statistics and Vital Records, Jefferson County Health Department, Birmingham, Alabama.

**E. A. Harris M.D.**  
Edward A. Harris, M.D.  
Acting Health Officer

MAR 11 1970

Date of Issue

**Felix E. Hartley**  
Registrar of Vital Statistics

**L. Graves**  
Authorized Bureau Clerk

Not Valid Without Embossed Seal of the Health Officer of Jefferson County, Alabama.

1977 SEP 23 PM 12:06

EXHIBIT A