

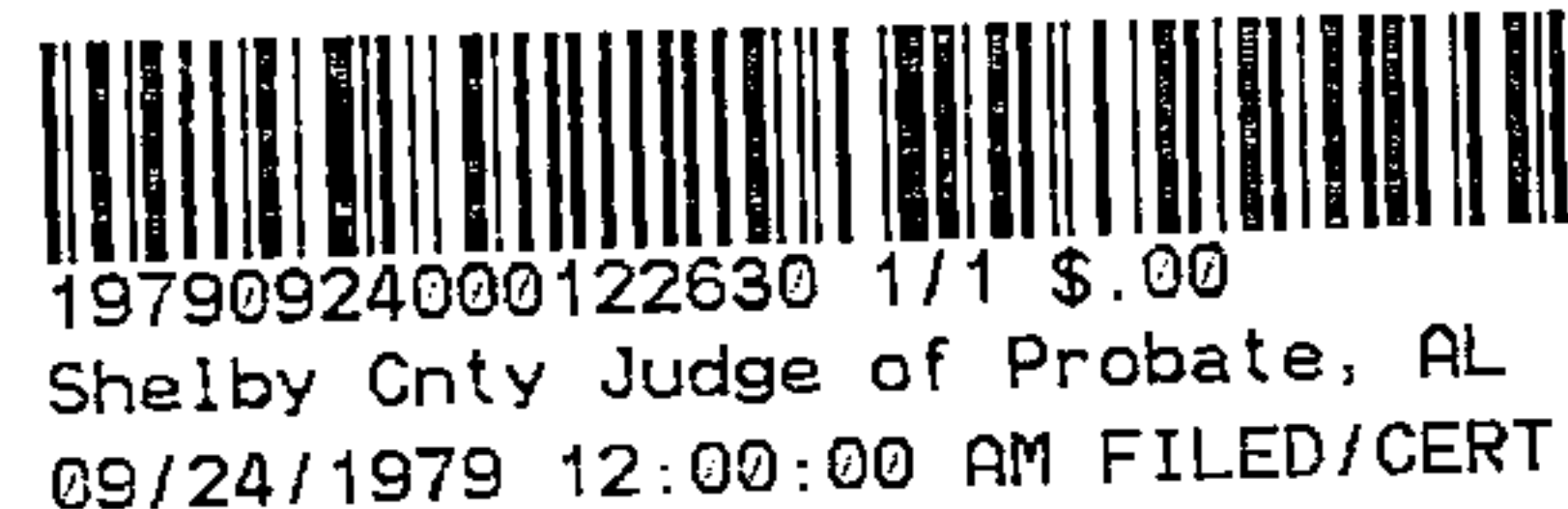
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A F F I D A V I T

STATE OF ALABAMA)

JEFFERSON COUNTY)



Before me, a Notary Public in and for said County and State, personally appeared Edward D. McCauley and Mary W. McCauley, who being first duly sworn, deposes and says as follows: that they are the owners of the following described property situated in Shelby County, Alabama, to wit:

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BOOK

A lot in the SE-1/4 of the NE-1/4, Section 12, Township 24, Range 15 East, more particularly described as follows: Commence at the Southwest corner of said Quarter-Quarter Section and run thence Easterly along the South boundary of said Quarter-Quarter Section 1018 feet; thence turn an angle of 90 degrees 15 minutes left and run thence 424 feet to a point; thence turn an angle of 89 degrees 45 minutes to the left and run thence 210 feet; thence turn an angle of 90 degrees 30 minutes right and run thence to a point on what is known as the 434 contour; thence run westerly along said 434 contour 266 feet to a point where said contour intersects the west boundary of 5th Street; which said point constitutes the point of beginning of the lot herein described and conveyed; thence continue Westerly along said contour #434, fifty feet to a point; thence southerly and parallel with the west boundary of said SE-1/4 of the NE-1/4 170 feet to 3rd Avenue; thence Easterly and parallel with the south boundary of said SE-1/4 of NE-1/4 50 feet to 5th Street; thence Northerly along the west boundary of 5th Street and parallel with the west boundary of said SE-1/4 of the NE-1/4, 165 feet to point of beginning; said lot also being described as lot 8, Block 10, according to Glasscock's Subdivision of Springcreek, as surveyed by J. R. McMillan, a Registered Land Surveyor on the 19th day of August, 1957, and which survey is filed for record in the Probate Office of Shelby County, Alabama, in Map Book 4 page 23; subject to easements and rights of way of record.

Affiants further say that their attention has been called to a restriction appearing in Deed Book 192, Page 438, in the Probate Office of Shelby County, Alabama, wherein they purchased said property and which said restriction states "this property is not to be resold without the approval of A. V. Glasscock, or his appointed agents." Affiants say that the purpose of this restriction was to prohibit blacks from purchasing this property and for that reason would be a nullity under the laws of the Supreme Court of the United States. Affiants further say that the said A. V. Glasscock and his wife are both dead and did not appoint an agent prior to their death, nor was such an appointment recorded in the Probate Court.

Affiants further say that this Affidavit is made to set out the facts concerning said restriction appearing in the above stated deed.

Sworn to and subscribed before me this the 2nd day of September, 1979.

Malcolm L. Wheeler
Notary Public

Edward D. McCauley
Mary W. McCauley
AFFIANTS

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
1979 SEP 24 AM 10:13
JUDGE OF PROBATE
Rec. 150
Ind. 100
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