

AFFIDAVIT

STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned authority, a Notary Public in and for the said county, in said state, personally appeared the undersigned affiant, who, after being by me first duly sworn to speak the truth, deposes and says as follows:

My name is William Maxwell Stinson and I reside at 1709 King Charles Court, Alabaster, Alabama. I am the grantee in that certain deed from James Coyle Stinson dated December 27, 1976, which is recorded in Deed Book 302, page 884, in the Probate Records of Shelby County, Alabama. Said deed incorrectly described Lots 22 and 23 in Block 4. The actual property which was conveyed to me by James Coyle Stinson by said deed was Lots 17 and 18, Block 4 of Nickerson-Scott Survey, Map Book 3, page 34, Probate Records of Shelby County, Alabama. A copy of said incorrect deed is attached as Exhibit "A" and made part and parcel hereof as fully as if set out herein. At the time said deed was executed by James Coyle Stinson on December 27, 1976, neither he nor I nor any of our family owned any interest in Lots 22 and 23 of Block 4 according to the map of Nickerson-Scott Survey. Lot 22 and 23 of Block 4, along with Lot 24 had been sold by the family several years earlier to Dr. Frank Abernethy Jr. and his wife, Janice R. Abernathy. Lot 17 and 18 were the only Lots which James Coyle Stinson owned any interest in on December 27, 1976, when he executed the deed shown as Exhibit "A" attached hereto. James Coyle Stinson disappeared approximately one week after the deed shown on Exhibit "A" was executed and has not been heard from by any member of the family for over five years. None of the family knows where he is or how he could be located. Very strong and stringent measures have been taken by many people in an attempt to locate him but they

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Courtney Mason

have been unable to do so.

The only reason for the execution of the deed shown on Exhibit "A", as was stated by James Coyle Stinson at the time of the execution of the deed was to convey to William Maxwell Stinson all of his undivided interest in the property which is, in fact, Lots 17 and 18 of Block 4 of said subdivision. There is no question or dispute about this among any member of the family and this is recognized to be the absolute truth surrounding the circumstances of the execution of the deed as shown on Exhibit "A".

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BOOK

William Maxwell Stinson
William Maxwell Stinson

Sworn to and subscribed to before
me on this 7th day of
March, 1983.

Betty L. Rayfield
Notary Public

AFFIDAVIT

STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned authority, a Notary Public in and for the said county, in said state, personally appeared the undersigned affiant, who, after being by me first duly sworn to speak the truth, deposes and says as follows:

My name is Louise Stinson and I am the widow of W.E. Stinson, deceased. I have cognizance of the facts and matters stated above in the affidavit of William Maxwell Stinson and such facts and matters as stated above are true and correct.

Louise Stinson
Louise Stinson

Sworn to and subscribed to before

me on this 7th day of

March, 1983.

Betty L. Rayfield
Notary Public



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STATE OF ALABAMA }
SHELBY COUNTY } KNOW ALL MEN BY THESE PRESENTS:

That in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we,

James Coyle Stinson, a single man

(herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto

William Maxwell Stinson

(herein referred to as grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

My undivided one-third interest in and to the following described property, to-wit:

Lots 22 and 23, in Block 4, according to Map of Nickerson-Scott Survey, being a subdivision of a part of the East half of the SE $\frac{1}{4}$ of Section 35, and part of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 36, all in Township 20 South, Range 3 West, recorded in Map Book 3, page 34, in the Probate Office of Shelby County, Alabama.

It is intended to convey to grantee all of my right, title and interest in and to the above described property, whether vested or contingent, present or future.

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BOOK 302 PAGE 884

*Shelby County, Ala
rec'd Feb 17 1976*

1976 DEC 27 AM 11:20
CLERK OF PROBATE
JAMES COYLE STINSON
INST. INSTR. WAS FILED

TO HAVE AND TO HOLD to the said grantee, his, her or their heirs and assigns forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hands(s) and seal(s), this 27 day of December, 1976.

(Seal)
(Seal)
(Seal)

James Coyle Stinson (Seal)
(Seal)
(Seal)

STATE OF ALABAMA }
SHELBY COUNTY }

General Acknowledgment

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that James Coyle Stinson whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 27 day of December, 1976.

Nancy L. Turner
Notary Public.

EXHIBIT "A"

This instrument was prepared by

WALLACE, ELLIS & FOWLER, Attorneys

(Name)

(Address) Columbiana, Alabama 35951

Form 1-1-5 Rev. 1-65

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR—LAWYERS TITLE INSURANCE CORPORATION, Birmingham, Al

STATE OF ALABAMA

SHELBY

COUNTY

KNOW ALL MEN BY THESE PRESENTS

COPY

That in consideration of TWENTY-ONE THOUSAND AND NO/100

DOLL

to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged,

Louise A. Stinson, a widow; William Maxwell Stinson & wife, Joan Ellis Stinson; James Stinson and wife, Michele Bowers Stinson, & Louise Stinson, Executrix of the Estate of Willie Elijah Stinson, Deceased (herein referred to as grantors) do grant, bargain, sell and convey unto

Frank Abernathy, Jr. and wife, Janice R. Abernathy,

(herein referred to as GRANTEES) for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate situated

in Shelby County, Alabama to-wit:

Lots 22, 23, and 24, Block 4, Nickerson - Scott Addition to Alabaster located in the E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 35, Township 20, Range 3 West, and in the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 36, Township 20, Range 3 West, as recorded in the Probate office of Shelby County, Alabama, in Map Book 3, page 34.

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BOOK

STATE OF ALA., SHELBY CO.,
I CERTIFY THIS INSTRUMENT
WAS FILED ON

April 22 1973 8:30 AM

RECORDED & \$ MTG. TAX

\$21.00 DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

Conrad M. Fowler

JUDGE OF PROBATE

TO HAVE AND TO HOLD to the said GRANTEES for and during their joint lives and upon the death of either of them then to the survivor of them in fee simple, and to the heirs and assigns of such survivor forever, together with every contingent remainder and right of reversion.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will defend the same against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s), this 11th day of April, 1973.

Louise A. Stinson (Seal)
(Louise A. Stinson)

William Maxwell Stinson (Seal)
(William Maxwell Stinson)

Joan Ellis Stinson (Seal)
(Joan Ellis Stinson)

James Coyle Stinson
(James Coyle Stinson)

Michele Bowers Stinson
(Michele Bowers Stinson)

Louise Stinson as Executrix
(Louise Stinson as Executrix of the Estate of Willie Elijah Stinson, Deceased)

STATE OF ALABAMA

SHELBY

COUNTY

General Acknowledgment

I, the undersigned, a Notary Public in and for said County, do hereby certify that James Coyle Stinson, William Maxwell Stinson & wife, Joan Ellis Stinson, Michele Bowers Stinson, and Louise Stinson, as Executrix of the Estate of Willie Elijah Stinson, Deceased, whose name is signed to the foregoing conveyance, and who are known to me, acknowledged on this day, that, being informed of the contents of the conveyance they executed the same on the day the same bears date.

Given under my hand and official seal this 11th day of April, A. D. 1973.

Notary Public

STATE OF ALABAMA)

SHELBY COUNTY)

KNOW ALL MEN BY THESE PRESENTS That for and in consideration of the sum of ONE DOLLAR in hand paid, the undersigned owners of Lot 21, Block 4, Nickerson-Scott Addition to Alabaster, located in the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 35, Township 20, Range 3 West, and in NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 36, Township 20, Range 3 West, as recorded in the Probate Office of Shelby County, Alabama, in Map Book 3, page 34, do hereby give and grant unto Frank Abernathy, Jr. the right of first refusal of the purchase of the above said property for a period of ten (10) years. It is understood and agreed that once said property is offered to Frank Abernathy, Jr. said owners will be free to sell said property to any other person, firm, or corporation upon the same terms and conditions so offered unless the said Frank Abernathy, Jr. accepts said offer within fourteen (14) days.

Done this 11 day of April, 1973.

Louise A. Stinson
Louise A. Stinson

STATE OF ALA., SHELBY CO.,
I CERTIFY THIS INSTRUMENT
WAS FILED ON

April 23, 1973
RECORDED & \$ 8.30 AM JATG. TAX

\$ DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

Conrad M. Fowler
JUDGE OF PROBATE

William Maxwell Stinson
William Maxwell Stinson

James Coyle Stinson
James Coyle Stinson

Louise Stinson as Exec
Louise Stinson, as Executrix of the
Estate of W. E. Stinson, Deceased

STATE OF ALA., SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1983 APR 22 PM 4:02

Thomas A. Stinson, Jr.
JUDGE OF PROBATE

Rec 9.00
Jud 1.00
10.00

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