

STATE OF ALABAMA)
COUNTY OF SHELBY)

906

HEIRSHIP AFFIDAVIT

Come now Florence Elsie Harris and Mavis Jo Belcher, the Affiants herein, and after first having been duly sworn, said Affiants depose and say as follows:

1. That said Affiants have personal knowledge of the facts stated herein.

2. James Andrew Fitts, Sr. and Thelma Fitts were married to each other in Shelby County, Alabama, on or about the 21st day of December, 1915, and there were two natural children born to the said James Andrew Fitts, Sr. and Thelma Fitts, to-wit: Florence Elsie Harris and Mavis Jo Belcher. Furthermore, the aforementioned natural children are the only issue ever born to the said James Andrew Fitts, Sr. and Thelma Fitts, or either of them.

3. James Andrew Fitts, Sr. died intestate, in Shelby County, Alabama, on or about the 12 day of November, 1964, being survived only by his wife, Thelma Fitts, and his natural children, Florence Elsie Harris and Mavis Jo Belcher. Said Decedent's estate was never probated in any Court of competent jurisdiction, and no Probate proceedings are anticipated in regard to same.

4. At the time of the death of James Andrew Fitts, Sr., he and his aforementioned wife were vested with all right, title and interest in certain real estate located in Shelby County, Alabama, as tenants in common. The Warranty Deed reflecting such ownership being recorded at Book 148, Page 500 in the office of the Probate Judge, Shelby County, Alabama.

5. Thelma Fitts died testate in Shelby County, Alabama, on or about the 9th day of November, 1987, and her Will, which she executed on or about November 10, 1982, did bequeath and devise all real, personal and mixed property to her two children, Florence Elsie Harris and Mavis Jo Belcher. (The Death Certificate and Will of Thelma Fitts are attached hereto as Exhibits A & B respectively). Said decedents Will was not submitted for Probate by any Court of competent jurisdiction, and no such Probate proceedings are anticipated by the said Decedent's heirs at law.

6. All of the lawful issue of James Andrew Fitts, Sr. and Thelma Fitts are over the age of 21 years and of sound mind; their names, addresses and relationships to the above designated Decedents being designated as follows:

Florence Elsie Harris
Surviving Daughter
Route 6 Box 120
Montevallo AL 35115

Mavis Jo Belcher
Surviving Daughter
Route 5 Box 311
Montevallo AL 35115

7. The Affiants herein are not aware of any other lawful issue of James Andrew Fitts, Sr. and Thelma Fitts, or either of them, or any other persons or entities who have lawful claims to any right, title or interest in or to any real estate, title to which was or is vested in the said James Andrew Fitts, Sr. and/or Thelma Fitts, and that both of said heirs at law have joined in the

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M. A. Spears

conveyance of certain real estate maintained within the estates of the
aforementioned Decedents.

8. There are no outstanding debts or claims against the estates of the
above designated Decedents.

FURTHERMORE, the Affiants saith naught.

Florence Elsie Harris
Florence Elsie Harris

Mavis Jo Belcher
Mavis Jo Belcher

STATE OF ALABAMA)
COUNTY OF SHELBY)

ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public in and for said County, in
said State, hereby certify that Florence Elsie Harris and Mavis Jo Belcher
whose names are signed to the foregoing Heirship Affidavit, and who are known
to me, acknowledged before me on this day, that , being informed of the
contents of the Heirship Affidavit they executed the same voluntarily on the
day the same bears date.

Given under my hand and official seal this 14 day of Nov., 1988.

[Signature]
Notary Public

My Commission Expires: 9/89

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Last Will and Testament

OF
THELMA FITTS

STATE OF ALABAMA
JEFFERSON COUNTY

KNOW ALL MEN BY THESE PRESENTS, That I, THELMA FITTS, a resident citizen of Montevallo, Shelby County, Alabama, and a widow, being of sound mind and disposing memory, do make, publish and declare this instrument as and for my Last Will and Testament, and I hereby revoke any and all other wills and any codicils thereto made heretofore by me.

ITEM ONE: It is my will that all of my debts, including the expenses of my last illness and of my burial, shall be paid by my personal representative hereinafter named, as soon after my decease as practicable.

ITEM TWO: After the payment of my aforesaid debts and expenses, all of the rest, residue and remainder of the property, real, personal and mixed, of whatever nature and wherever situated, including any insurance policy or claim related thereto, which I may own at the time of my death or to which my estate may become entitled at or after my death, I give, bequeath and devise, in fee and per stirpes, unto my two children who are living at the time of the making of this will, namely: FLORENCE ELSIE HARRIS of Bessemer, Alabama, and MAVIS JO BELCHER of Montevallo, Alabama, in equal shares, share and share alike.

ITEM THREE: I hereby nominate, constitute and appoint my daughter, FLORENCE ELSIE HARRIS, as Executrix of this my Last Will and Testament. If my said daughter shall not survive me or if she shall fail to qualify or cease to act, then and in any such event, I nominate, constitute and appoint my daughter, MAVIS JO BELCHER, as Successor Executrix hereunder. I direct that my said Executrix and/or Successor Executrix, as the case may be, shall each be exempt from giving any bond, from filing any inventory of the property of my

Thelma Fitts

THELMA FITTS

M. A. Sears

estate and from filing any report of her transactions and proceedings in any Court, in said capacity hereunder. I do authorize and empower my said Executrix and/or my said Successor Executrix, whichever shall serve, to sell, transfer and convey any or all of the property, real, personal and mixed, belonging to my estate, at public or private sale and to execute and deliver the proper legal instrument(s) conveying title to the same to the purchaser(s) thereof, all without the prior order or subsequent approval of any Court.

IN WITNESS WHEREOF, I, THELMA FITTS, have set my hand to this my Last Will and Testament, at Bessemer, Alabama, on this the 15th day of November, 1982.

Thelma Fitts
THELMA FITTS

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The foregoing Will, consisting of this Page Two and one (1) preceding typewritten page, was signed and declared to be her Last Will and Testament by THELMA FITTS in our presence, and we, in her presence and in the presence of each other and at her request, have hereunto subscribed our names as witnesses to her signature to each page of this Will on the day the same bears date.

Wanda G. Hunter
Witness

314 No 18th St Bessemer, AL
Address

Henri L. Ross
Witness

1818 Exeter Avenue, Bessemer, AL 35020
Address

STATE OF ALA. SHELBY
I CERTIFY THIS
INSTRUMENT WAS FILED
88 NOV 15 AM 11:31

Thomas A. Scarborough, Jr.
JUDGE OF PROBATE

| | | |
|------------------|----|--------------|
| 1. Dead Tax | \$ | <u>—</u> |
| 2. Mtg. Tax | | <u>—</u> |
| 3. Recording Fee | | <u>12.50</u> |
| 4. Indexing Fee | | <u>1.00</u> |
| TOTAL | | <u>13.50</u> |