

AFFIDAVIT

STATE OF ALABAMA

ST. CLAIR COUNTY

Before me, the undersigned, a Notary Public, in and for said County in said State, personally appeared TERRY WILLINGHAM, whose name is signed to this Affidavit and who is known to me, and who being by me first duly sworn deposes and says as follows:

My name is Terry Willingham and I reside in Shelby County, Alabama. I am the grandson T. R. Brasher, deceased, who departed this life on the 29th day of July, 1976, leaving no Last Will and Testament and that there has been no administration on his Estate.

That the said T. R. Brasher left surviving him his surviving spouse, Vauda Brasher, and the following children, viz: Mary Lee Brasher Willingham, Larry Brasher, and Louise Overton Brasher, each of whom were over the age of 21 years, competent, and constituted the distributees and heirs at law of T. R. Brasher. That the said T. R. Brasher left no descendants of deceased children surviving him.

That subsequent to July 29, 1976, Mary Lee Brasher Willingham, died intestate on December 14, 1989, and left surviving her her surviving spouse, Haskell Willingham, and the following children, viz: Terry Willingham and Perry Willingham, each of whom were over the age of 21 years, competent and constituted the distributees and heirs at law of Mary Lee Brasher Willingham. That the said Mary Lee Brasher Willingham left no descendants of deceased children surviving her. That there has been no administration on the Estate of Mary Lee Brasher Willingham.

That subsequent to July 29, 1976, Vauda Brasher died intestate on April 10, 1992, and left surviving her the following children and children of deceased children, viz: Larry Brasher, Louise Overton Brasher, Terry Willingham and Perry Willingham, each of whom are over the age of 21 years, competent and constituted the distributees and heirs at law of Vauda Brasher. That there has been no administration on the Estate of Vauda Brasher.

That I know of my own personal knowledge that T. R. Brasher acquired title to the West Half of the Southeast Quarter of the Northeast Quarter of Section 11, Township 19 South, Range 1 West, Shelby County, Alabama, in December, 1951, and was in the continuous, actual, open, notorious, adverse, peaceful and exclusive possession of this property claiming to own the same from December, 1951, until his death on July 29, 1976. That subsequent to the death of T. R. Brasher, I know of my own personal knowledge that the above named widow and children of T. R. Brasher have been in the continuous, actual, open, notorious, adverse, peaceful and exclusive possession of this property claiming to own the same from July, 1976, until the present time. That the said T. R. Brasher and his heirs and distributees have used a portion of this property as a homestead, farmed and cultivated the same and assessed and paid taxes on said property from 1951 to the present time.

That I have known this property for more than 20 years and during all the time that I have known this property, I have never known or heard of anyone disputing the ownership of T. R. Brasher or his heirs and distributees or of anyone making any claim to any part thereof.

Inst # 1994-16608

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SHELBY COUNTY JUDGE OF PROBATE
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IN WITNESS WHEREOF, I have hereunto set my hand and seal on this
the 14 day of May, 1994.

Terry J. Willingham
Terry Willingham

Sworn to and subscribed before me

this the 14 day of May, 1994.

Judy H. Hardwick
Notary Public

PREPARED BY:

TRUSSELL & FUNDERBURG
1916 First Avenue, North
Pell City, Alabama 35125

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