

**AFFIDAVIT**

**INST# 1999-19950**

**05/12/1999-19950**

**09:36 AM CERTIFIED**

**SHELBY CO JUDGE OF PROBATE**

**003 MMS 13.50**

**STATE OF ALABAMA )**

**COUNTY OF SHELBY )**

Before me, the undersigned Notary Public in and for said County and State, personally appeared JERRY G. DAVIS, 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 Jerry G. Davis. I am over the age of twenty-one and the son of Cecil H. Davis, deceased, and Inez E. Davis.

Due to a course of action presently being pursued by my sister, ANNETTE D. SKINNER, concerning the disposition of family property, I, Jerry G. Davis, do hereby propose this Affidavit of protestation in response to said action.

At present, my mother, Inez E. Davis, aged 81, is bedridden with severe dementia at her home in Shelby, Alabama. She is being attended by Healthcare nurses and other domestic care helpers.

In June 1995 following my father, Cecil H. Davis' death, March 24, 1995, my mother already displaying signs of mental dementia, signed a General Durable Power of Attorney to my sister, Annette D. Skinner. My mother signed this document at her home with the aid of Notary Public, Lanice Brasher from the Law Office of Wallace, Ellis, Fowler and Head. Ms. Brasher is a mutual and dear friend to my entire family.

This action of Power of Attorney occurred the same day I and my wife, Judy R. Davis departed for a week long vacation to Colorado.

Upon completion of our vacation in Colorado and with knowledge of what had transpired during our absence, I inquired of my mother about the document in question. She had no recollection of signing anything. She did recall the visit made to her by our dear friend Ms. Lanice Brasher. When I informed my mother that Ms. Brasher was acting in the capacity of Notary Public and read my mother a copy of the document she had signed, she was unaware of anything other than a friendly visit by Ms. Brasher.

I, along with friends and other family members, at the time were aware of early signs of my mother's increasing dementia and I

can categorically state she was not cognizant of the import of her actions.

My sister, Annette B. Skinner, is presently engaged in surveying and selling certain parcels of our family farm located approximately four miles west of Shelby, Alabama, adjacent to State Highway 145. Subject property is being surveyed out of property more particularly described on attached Exhibit "A". This farm is not contiguous with my mother's home in Shelby nor my sister's home on 40 acres given to her by my father approximately 30 years ago.

I, along with numerous friends and family members have always known the intent of my mother and father concerning the disposition of the farm property. Their desire specifically was for my sons, Forrest and Jeff Davis to ultimately inherit this property.

Having no knowledge of any Will or other Testamentary documents pertaining to this farm on which I have lived for approximately 32 years, I hereby adamantly protest having any part or parcel sold at this time.

IN WITNESS WHEREOF, I have set my hand and seal on this the

12<sup>th</sup> day of May, 1999.

  
Jerry G. Davis

STATE OF ALABAMA        }

COUNTY OF SHELBY        }

Sworn to and subscribed to before me on this the 12<sup>th</sup>  
day of May, 1999.

  
Notary Public  
My Commission Expires: 9-21-2000

114-156

#1826

Sh. 40 Federal stamps cancelled on this deed

INST# 1999-19950  
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EXHIBIT "A"

2/12/99

John Cole and wife Nettie Cole

THE STATE OF ALABAMA  
SHELBY COUNTY

TO

Cecil Davis and wife Inez E. Davis

KNOW ALL MEN BY THESE PRESENTS:

That for and in Consideration of Thirty six hundred and no/100

DOLLARS

to the undersigned grantor John Cole and wife Nettie Cole

Cecil Davis and wife Inez E. Davis

in hand paid by the receipt whereof is acknowledged we the said John Cole and wife Nettie Cole

do grant, bargain, sell and convey unto the said Cecil Davis and wife Inez E. Davis, share and share alike, for and during their joint lives with remainder over to the survivor, his other heirs in fee simple.

the following described real estate, to-wit: Fractions A and B of Fractional Section 20, Township 22, Range 1 East being further described as follows: Commencing at the Northeast corner of said Fractional Section 20, Township 22, Range 1 East and run in a southerly direction along the East boundary of said Fractional Section, 1320 feet to the Northeast corner of Fraction A; run thence in a westerly direction parallel with the North boundary of said Fractional section to the North end south-western line of said Fractional Section; run thence in a southerly direction along said medial line to the line between the Huntsville Survey and the St. Stevens Survey, which is commonly known as the Freeman Line; run thence in an easterly direction along said line to the East boundary of said Fractional Section 20; run thence in a northerly direction along East boundary of said Fractional section 20 to point of beginning, containing in all 130 acres, more or less.

situated in Shelby County, Alabama.

To Have and to Hold, To the said Cecil Davis and wife Inez E. Davis, share and share alike, for and during their joint lives, with remainder over to the survivor, his or her heirs and assigns forever.

And we do, for ourselves and for our heirs, executors and administrators,

covenant with the said Cecil Davis and wife Inez E. Davis, their heirs and assigns that we are lawfully seized in fee simple of said premises; that they are