

THIS INSTRUMENT WAS PREPARED BY:

MIKE T. ATCHISON, ATTORNEY
P.O. BOX 822
COLUMBIANA, ALABAMA 35051

STATE OF ALABAMA
SHELBY COUNTY

Before me, the undersigned authority, personally appeared Mary Ruth Coleman, who after being by me first duly sworn, deposes, and says on oath as follows:

My name is Mary Ruth Coleman, and I am over the age of 21 years, and am familiar with the following facts:

My aunt, Ethel O'Neal Cunningham McGraw was the owner of the following described property, to-wit:

The NW 1/4 of SW 1/4 of Section 36, Township 18 South, Range 2 East, Shelby County, Alabama.

LESS AND EXCEPT a five (5) acre strip across the South side of said 1/4 1/4 Section.

LESS AND EXCEPT: A parcel of land in the NW 1/4 of the SW 1/4 of Section 36, Township 18 South, Range 2 East, Shelby County, being more particularly described as follows:

Commence at the Northwest corner of the NW 1/4 of the SW 1/4 of said Section 36, and run East along the North boundary of said 1/4 1/4 Section for a distance of 396.08 feet; thence turn an angle of 90 degrees to the right and run South for 611.35 feet to the point of beginning of the above mentioned property; thence turn an angle to the left of 19 degrees 29 minutes 10 seconds and run in a Southeasterly direction for a distance of 267.0 feet; thence turn an angle to the right of 90 degrees and run in a Southwesterly direction for a distance of 95.61 feet; thence turn an angle to the right of 63 degrees 10 minutes and run in a Northwesterly direction for a distance of 299.22 feet; thence turn an angle to the right of 116 degrees 50 minutes and run in a Northeasterly direction for a distance of 230.68 feet to the point of beginning.

* Ethel O'Neal Cunningham McGraw died intestate on or about the 23rd day of November 1977, leaving a spouse, Almond McGraw, and three siblings, namely: Gable O'Neal, Lizzie Forman, and Reuben T. O'Neal. Under Alabama intestate succession laws at the time of her death, the property would have passed to her siblings, rather than to her spouse.

Gable O'Neal died in West Virginia in 1983 leaving no children, and leaving a widow, Kathryn O'Neal a/k/a Katherine O'Neal. Kathryn O'Neal has subsequently deeded her undivided one-third interest in the above described property, to my sister, Elizabeth Williams, as shown by deed recorded in Real Record 178, page 988, in Probate Office of Shelby County, Alabama. Elizabeth Williams in turn has conveyed her interest to my brother, Perry L. Forman and wife, Alice Forman, as shown in deed recorded in Real Record 178, page 989, in said Probate Office.

My mother, Lizzie O'Neal Forman, also conveyed her undivided one third interest in said property to Perry L. Forman and wife, Alice Forman, as shown in deed recorded in Real Record 178, Page 990, in Probate Office.

My uncle, Reuben T. O'Neal, died intestate on or about 23 day of May, 1953, leaving six children, namely: Henry O'Neal, Bobbie Jo Swain, Annie Pearl Kelley, Reuben O'Neal, Jr., Juanita Hanby, and Bernita O'Neal. There were no other heirs at law and next of kin of my uncle, Reuben T. O'Neal.

All of the above named parties filed a petition for sale and division in May, 1981, under Circuit Court Case No. CV-81-118(E). Other than a one acre parcel awarded to Mable McGraw Roberson and Roy Roberson by Consent Judgment rendered in said case, and recorded in Misc. Book 47, Page 210, in Probate Office of Shelby County, Alabama. I do not know of any other party ever claiming an interest in said property.

Inst # 1999-37720

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SHELBY COUNTY JUDGE OF PROBATE
002 MMS 11.00

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This affidavit is given to establish the devolution of title from Ethel O'Neal Cunningham McGraw to present date.

Further the affiant saith not.

Mary Ruth J. Coleman
Mary Ruth Coleman

Sworn to and subscribed to before me
this 25 day of May, 1999.

Veronda Grier Enders
Notary Public

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