

20060131000050230 1/11 \$.00  
Shelby Cnty Judge of Probate, AL  
01/31/2006 03:36:40PM FILED/CERT

20060130000048290 1/11 \$49.00  
Shelby Cnty Judge of Probate, AL  
01/30/2006 04:19:16PM FILED/CERT

State of Alabama )  
Jefferson County )

AFFIDAVIT

Re-recording to reflect  
Correct order of recording.

Before me, the undersigned, a Notary Public in and for said county and state, personally appeared **Iola Tolbert, Sallie Chappell, Frank Anderson, Mattie L. McCollough Erskine, John Ira McCollough, Roger Rose, Arma Rose, Sylvester Rose, Lawrence Rose, and Jermaine Rose**, who after being duly sworn, depose and states as follows:

1. I am over the age of nineteen and a resident of Jefferson County, Alabama.
2. I have personal knowledge of the descendants of my parents or grandparents as the case may be, John H. McCollough and Lulla McCollough.
3. My parents owned the real property legally described as Lot 12, Block 2, according to the Survey of Lincoln Park Subdivision, as recorded in Map Book 3, Page 145, in the Probate Office of Shelby County, Alabama. This property is not the homestead of any of the heirs set forth herein below.
4. John H. McCollough died intestate in 1963. Lulla McCollough died intestate in 1998. My parents were never married to anyone else, and have no other descendants by any other persons.
5. John H. McCollough and Lulla McCollough had seven children: Iola Tolbert, Sallie Chappell, Frank Anderson, Mattie L. McCollough Erskine, John Ira McCollough, Lisher B. Anderson and Nina Bell Anderson Rose.
6. Lisher B. Anderson died intestate in 1966. At the time of his death, he was married and had three children. His spouse was named Juanita Anderson, but I cannot recall the names of his children as they moved out of state with their mother and lost contact with the family shortly after my brother's death. Their names, ages, location and physical conditions are unknown at this time.
7. Nina Bell Anderson Rose died intestate in 1998 before Lulla McCollough's death. She was not married at the time of her death and was survived by five children: Roger Rose, Arma Rose, Sylvester Rose, Lawrence Rose, and Jermaine Rose.
8. All of the surviving heirs of John H. McCollough and Lulla McCollough are of sound mind, capable of deeding their property, and over the age of nineteen.
9. Our family has been in actual possession of the property described herein for well in excess of 20 years dating back to the 1950's. Our family, and we in particular, have possessed the property continuously, actually, openly and notoriously, exclusive of all others, hostile and under a claim of right. We have paid all due and payable ad valorem taxes, fire dues and library dues. We have maintained the property including landscaping and/or vegetation upkeep. We have posted the property and guarded the property against trespassers, poachers and encroachers. We have used the property for our own personal use exclusive of others.

Further, the Affiants saith not.

Dated this 29 day of DECEMBER, 2005.

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Iola Tolbert  
Grantor

STATE OF ALABAMA       )  
JEFFERSON COUNTY       )

I, the undersigned, hereby certify that **Iola Tolbert**, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date. Given under my hand and seal of this office this 29 day of DECEMBER, 2005.

[SEAL]

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

**NOTARY PUBLIC STATE OF ALABAMA AT LARGE**  
**MY COMMISSION EXPIRES: Mar 31, 2006**  
**BONDED THRU NOTARY PUBLIC UNDERWRITERS**



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*Sallie Chappell*

Sallie Chappell  
Grantor

STATE OF ALABAMA           )  
JEFFERSON COUNTY        )

I, the undersigned, hereby certify that **Sallie Chappell**, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date. Given under my hand and seal of this office this 29 day of DECEMBER 2005.

[SEAL]

*T.J. Shinn*

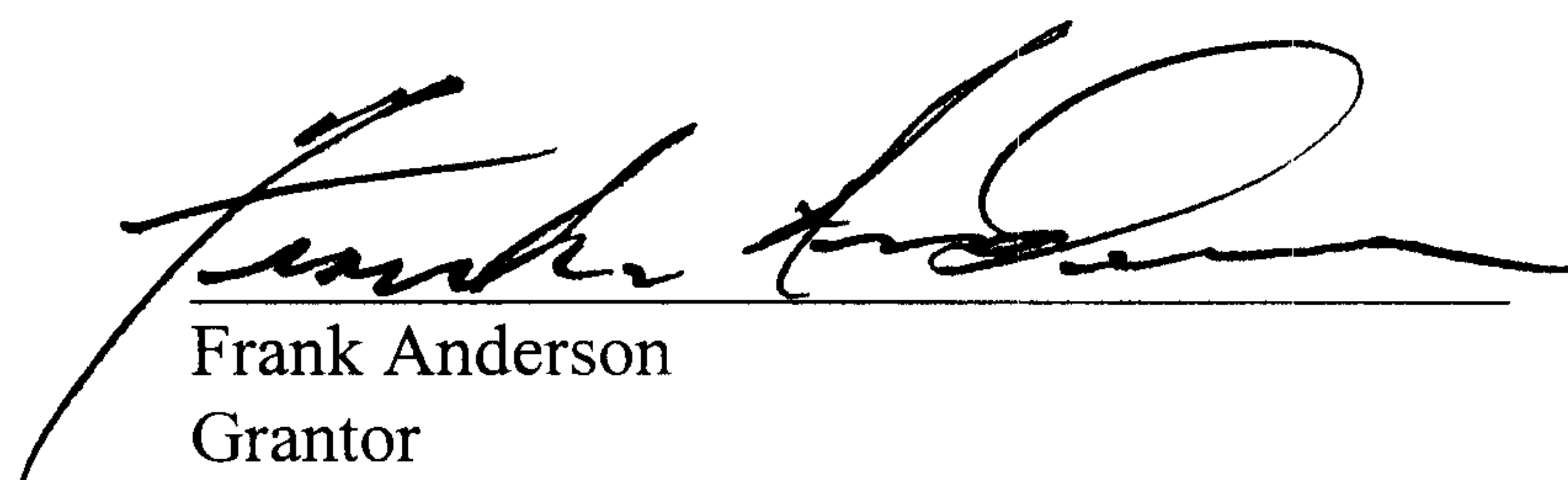
Notary Public

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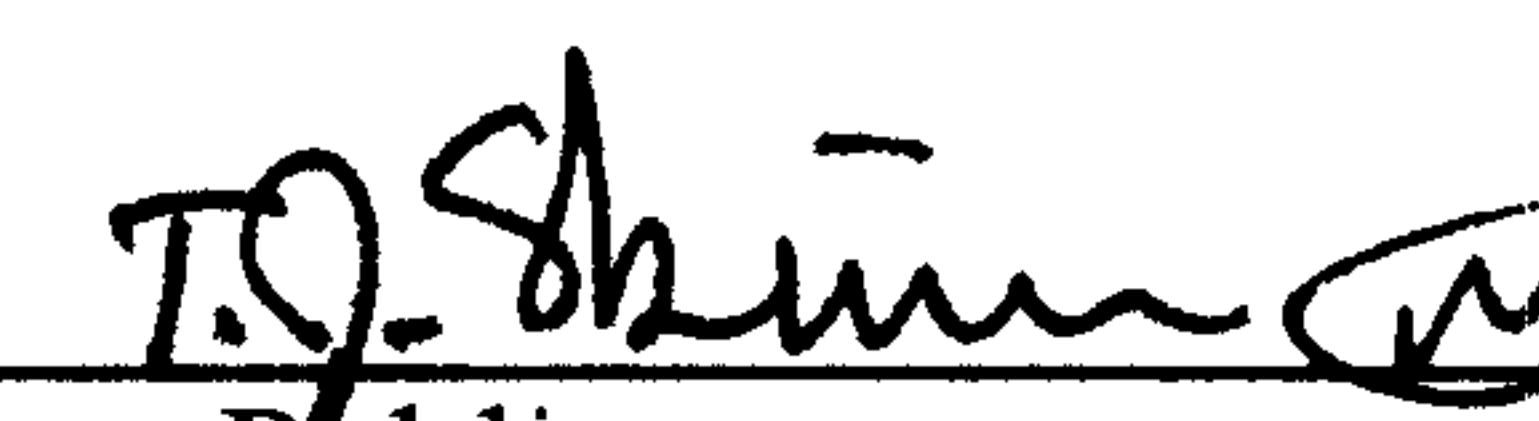
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Frank Anderson  
Grantor

STATE OF ALABAMA       )  
JEFFERSON COUNTY       )

I, the undersigned, hereby certify that **Frank Anderson**, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date. Given under my hand and seal of this office this 29 day of DECEMBER, 2005.

[SEAL]

  
Notary Public

My Commission Expires:

**NOTARY PUBLIC STATE OF ALABAMA AT LARGE**  
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*Mattie L. McCollough Erskine*  
Mattie L. McCollough Erskine  
Grantor

STATE OF ALABAMA       )  
JEFFERSON COUNTY       )

I, the undersigned, hereby certify that **Mattie L. McCollough Erskine**, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date. Given under my hand and seal of this office this 29 day of DECEMBER, 2005.

[SEAL]

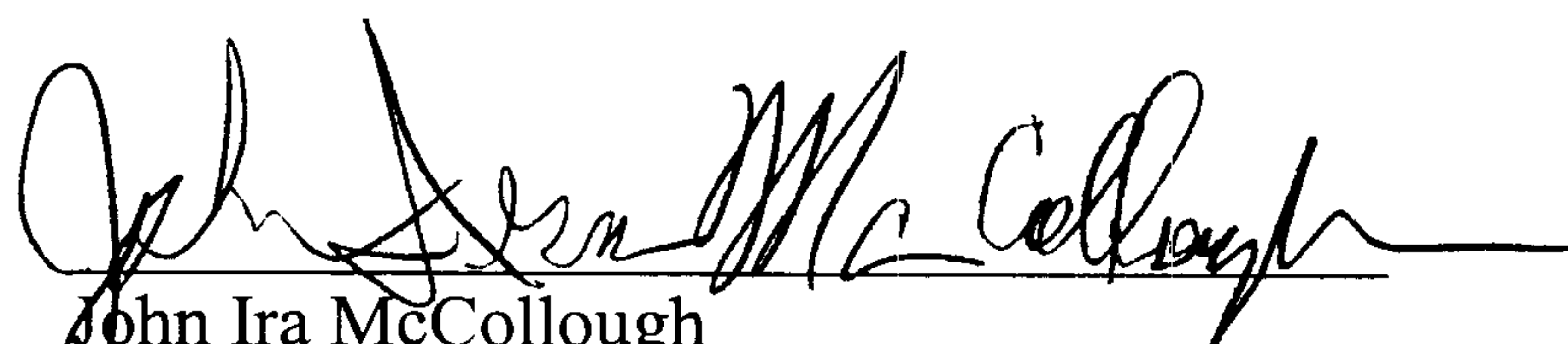
*T.J. Skinner*  
\_\_\_\_\_  
Notary Public

My commission expires:

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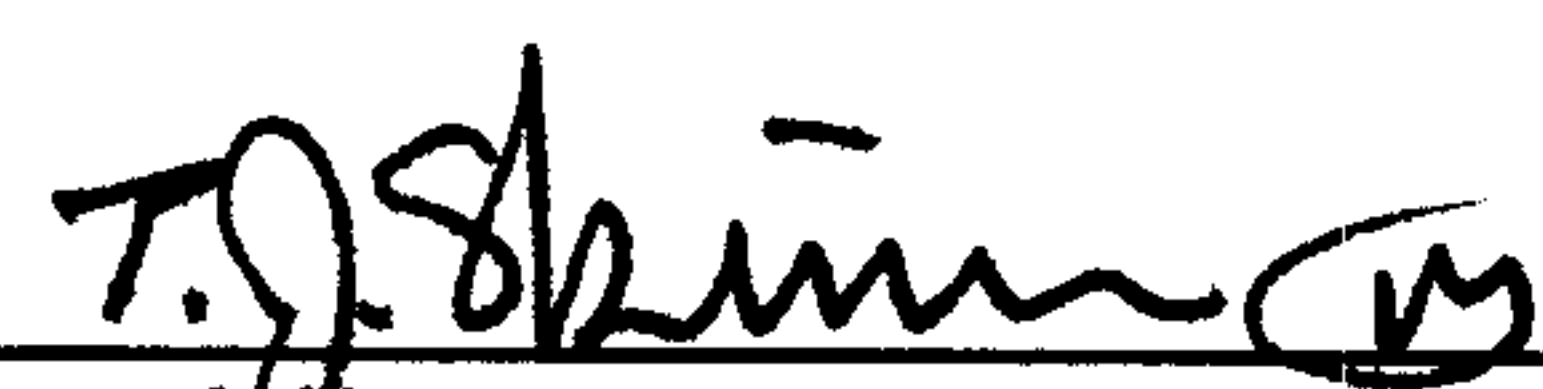
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John Ira McCollough  
Grantor

STATE OF ALABAMA       )  
JEFFERSON COUNTY       )

I, the undersigned, hereby certify that **John Ira McCollough**, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date. Given under my hand and seal of this office this 29 day of DECEMBER, 2005.

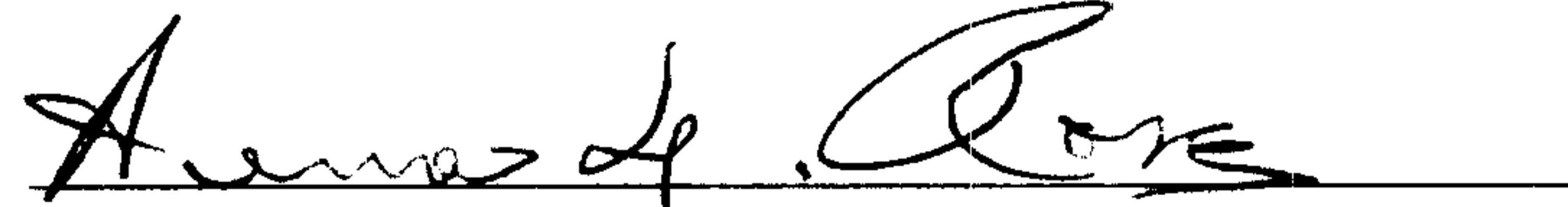
[SEAL]

  
Notary Public

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Arma Rose  
Grantor

STATE OF ALABAMA       )  
JEFFERSON COUNTY       )

I, the undersigned, hereby certify that **Arma Rose**, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date. Given under my hand and seal of this office this 29 day of DECEMBER, 2005.


[SEAL]

  
Notary Public

My Commission Expires: **NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
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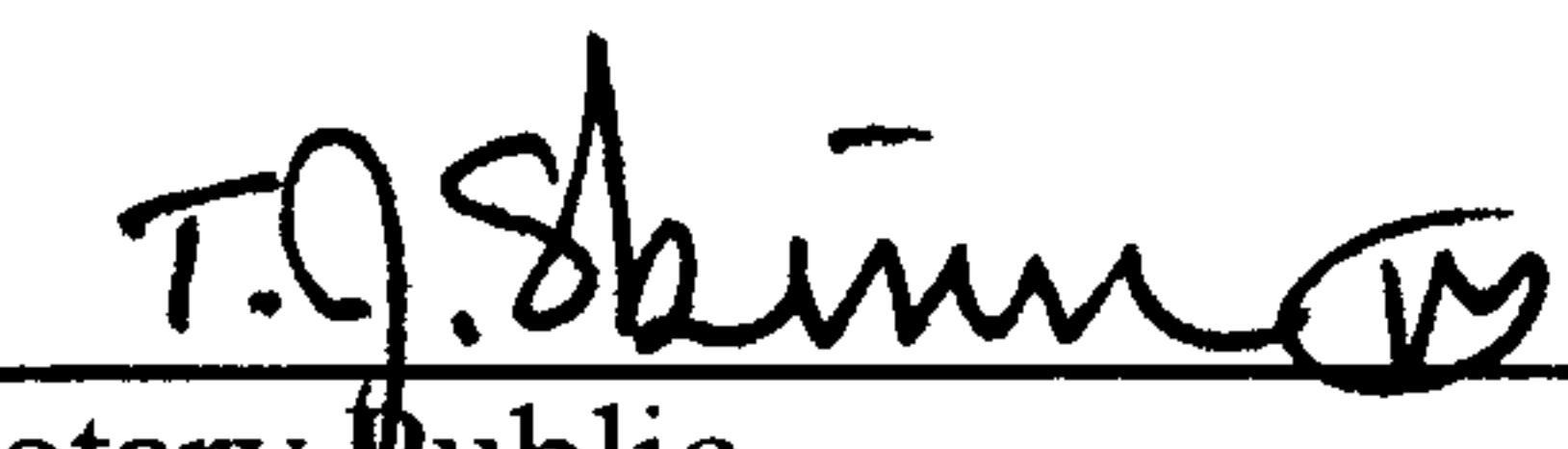
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Sylvester Rose  
Grantor

STATE OF ALABAMA           )  
JEFFERSON COUNTY        )

I, the undersigned, hereby certify that **Sylvester Rose**, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date. Given under my hand and seal of this office this 29 day of DECEMBER, 2005.

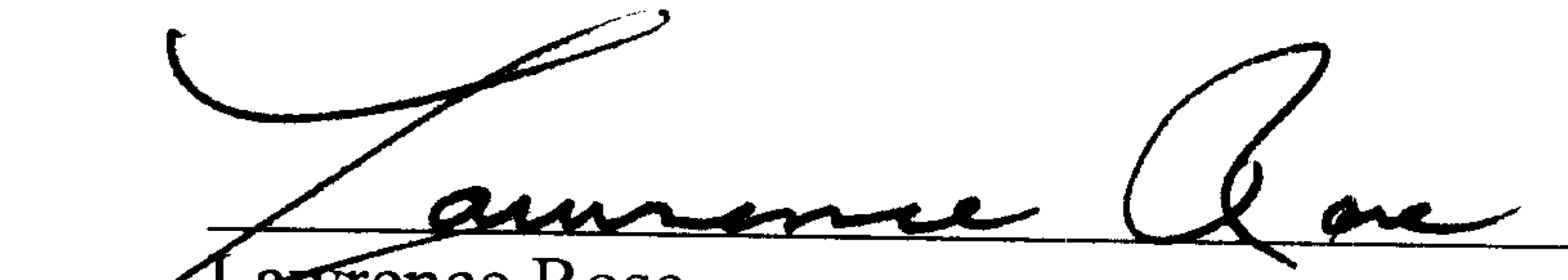
[SEAL]

  
Notary Public

My Commission Expires: **NOTARY PUBLIC STATE OF ALABAMA AT LARGE**  
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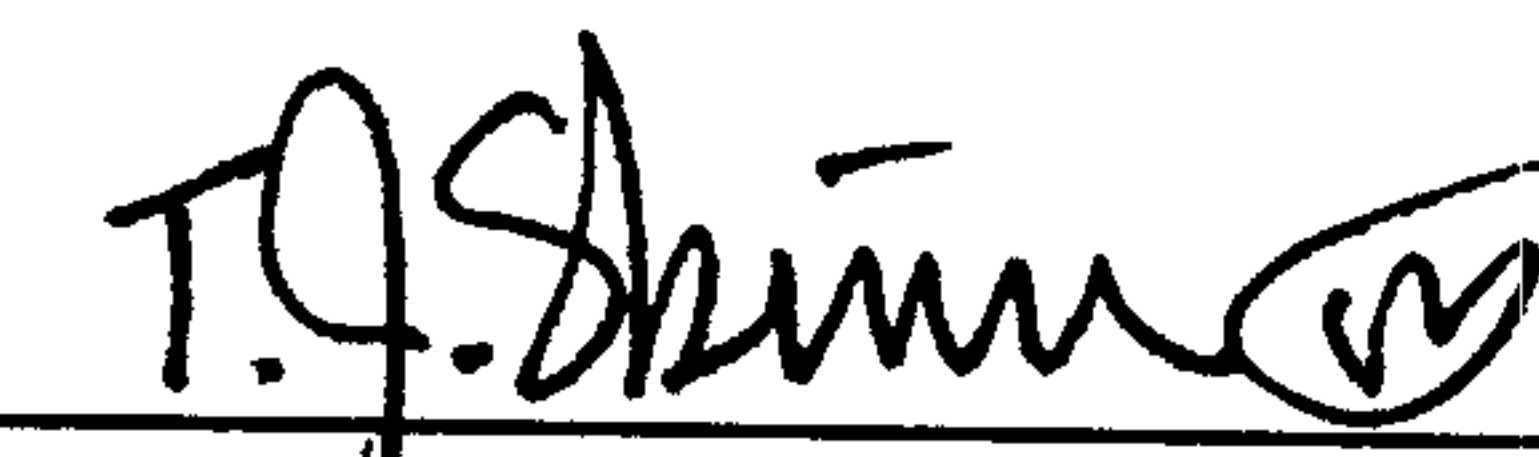
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Lawrence Rose  
Grantor

STATE OF ALABAMA       )  
JEFFERSON COUNTY       )

I, the undersigned, hereby certify that **Lawrence Rose**, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date. Given under my hand and seal of this office this 29 day of DECEMBER, 2005.

[SEAL]

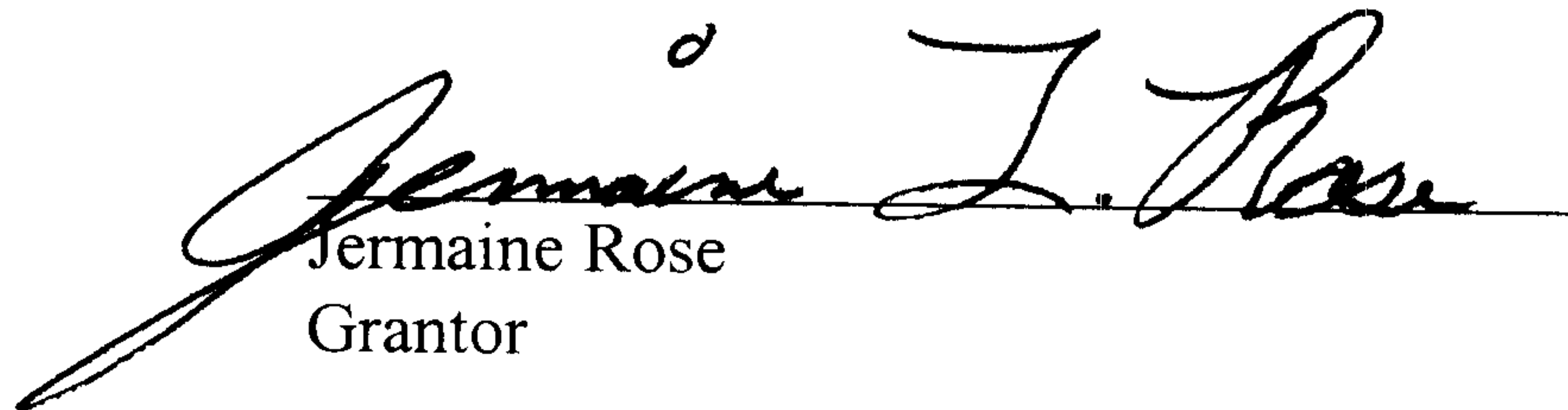
  
Notary Public

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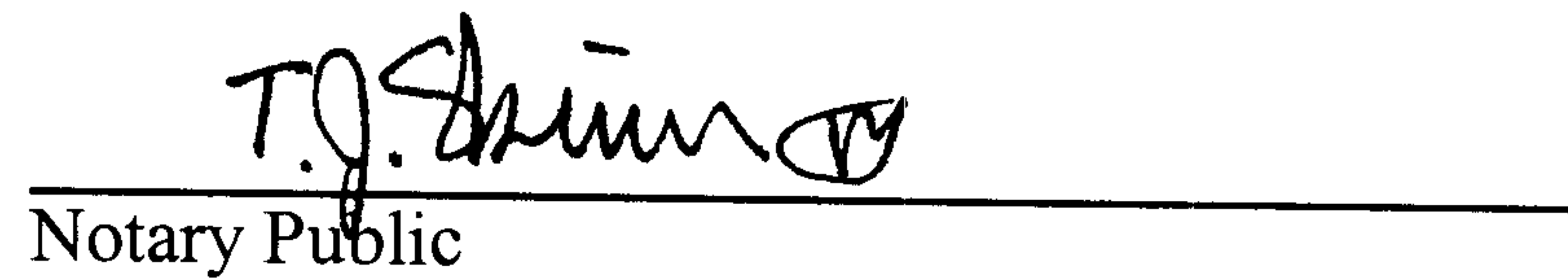
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Jermaine Rose  
Grantor

STATE OF ALABAMA       )  
JEFFERSON COUNTY       )

I, the undersigned, hereby certify that **Jermaine Rose**, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date. Given under my hand and seal of this office this 29 day of DECEMBER, 2005.

[SEAL]

  
Notary Public

My Commission Expires: **NOTARY PUBLIC STATE OF ALABAMA AT LARGE**  
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*Roger Rose 343901*  
Roger Rose  
Grantor

STATE OF ALABAMA       )  
JEFFERSON COUNTY       )

I, the undersigned, hereby certify that **Roger Rose**, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date. Given under my hand and seal of this office this 12 day of January, 2006.

[SEAL]

*Paul J. K. [Signature]*  
Notary Public

My Commission Expires:  
2/08