

AFFIDAVIT OF DESCENT AND DISTRIBUTION

STATE OF ALABAMA)
COUNTY OF SHELBY)

20170817000299390
08/17/2017 02:44:19 PM
AFFID 1/2

RE: See attached Exhibit "A"

also known as 5840 Cahaba Valley Road, Birmingham, AL 35242

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared
 BETTY B. DAVIS who, after first being duly sworn by me, deposes and says:
 (Print Name of Affiant)

My name is Betty B. Davis, I reside at 2841 Five Oaks Lane
(Print Name) Vestavia, AL 35243

I am a disinterested party and I have known **Virgil M. Sims, Deceased**, and his family for approximately 53 years.

Affiant knows of his/her own personal knowledge and belief that Virgil M. Sims and Susan Marie Sims acquired title to part of the above referenced property in January 1965 as reflected in that certain General Warranty Deed recorded in Deed Book 234, Page 162, in the Office of the Judge of Probate of Jefferson County, Alabama, and acquired title to part of the above referenced property in November 1982, as reflected in that certain General Warranty Deed recorded in Deed Book 343, Page 590.

Affiant further knows that Virgil M. Sims was married at the time of his death on November 29, 1989 and that he celebrated two marriages. Of the first marriage, he was married to Billie L. Moore, of this union one child was born, Virgil M. Sims, Jr. His second marriage was to Susan Marie Sims, and of this union, there were three children born, Robert Sims, Johnny Sims, and David Sims. There were no other children or children of predeceased children

Affiant further knows that Susan Marie Sims died testate on March 2, 2016, Probate Case No. PR-2016-000258, Shelby County, Alabama.

Affiant further sayeth naught.

Betty B Davis
(Signature of Affiant)

Sworn to and subscribed before me on
this the 27th day of July, 2017.

Allen Bree

Notary Public

My Commission Expires: 1/11/21

This Instrument has been prepared by:

Luke A. Henderson, Esq.

17 Office Park Circle, Ste 150

Birmingham, AL 35223

(205) 870-8090



Note to Probate Clerk:

Please index this instrument with the name of Virgil M. Sims, Deceased.

EXHIBIT "A" - LEGAL DESCRIPTION

Parcel I:

All that part of the S $\frac{1}{2}$ of S $\frac{1}{2}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$, lying West of Cahaba Valley Road in Section 13, Township 19 South, Range 2 West, Shelby County, Alabama.

Parcel II:

Begin at the Southeast corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 13, Township 19 South, Range 2 West, Shelby County; run thence North along the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section to the Southwest corner of Lot 1, Wagon Trace Subdivision as recorded in Map Book 6, Page 140, Shelby County, Alabama; thence turn an angle to the left and run in a Southwesterly direction along the Southeast property lines of Lots 2, 3, 4, & 5, Wagon Trace Subdivision to the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section; thence turn an angle to the left and run in an Easterly direction along the South line of the said $\frac{1}{4}$ - $\frac{1}{4}$ Section to the point of beginning.

Parcel III:

Begin at the Southeast corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 13, Township 19 South, Range 2 West, Shelby County, Alabama; run thence North along the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section to the Southwest corner of Lot 1, Wagon Trace Subdivision as recorded in Map Book 6, Page 140, Shelby County, Alabama; run thence East along the South line of Lot 1, Wagon Trace Subdivision 47 feet to the point of beginning of the parcel herein described. The aforementioned South property line of Lot 1, Wagon Trace is a common boundary with the North property line of the property of Virgil M. Sims and Susan Marie Sims as recorded in Deed Book 234, Page 162, in Shelby County, Alabama. Run thence in an Easterly direction along the North line of the Sims Property to the westerly right of way line of Alabama Highway 119; turn an angle to the left and run in a Northeasterly direction along the Westerly right of way line of State Highway 119 to the South right of way line of Surrey Lane; thence turn an angle to the left and run along the meandering South right of way line of Surrey Lane to the Northeast corner of Lot 1, Wagon Trace Subdivision; turn an angle to the left and run South along the East property line of Lot 1, Wagon Trace to the Southeast corner of Lot 1, Wagon Trace, said corner being the point of beginning.

Less and except the following described property:

Part of a part of the S $\frac{1}{2}$ of S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 13, Township 19 South, Range 2 West and described as follows: Commence at the SW corner of said $\frac{1}{4}$ - $\frac{1}{4}$ Section; thence North along West line of same 334.69 feet to the North line of said S $\frac{1}{2}$ of S $\frac{1}{2}$; thence $92^{\circ}22'10\frac{1}{4}"$ to the right East 618.88 ft. to the point of beginning; thence continue along the last named course 125.00 ft.; thence $93^{\circ}46'$ to the right Southwest 150.25 ft.; thence $102^{\circ}39'$ to the right Northwest 120.02 ft.; thence $73^{\circ}35'$ right North 116.00 ft. to the point of beginning.

Less and except the following described property:

Part of the S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 13, Township 19 South, Range 2 West and described as follows: Commence at the SW corner of said $\frac{1}{4}$ - $\frac{1}{4}$ Section; thence North along the West line of same 334.69 ft. to the North line of said S $\frac{1}{2}$ of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 13; thence $92^{\circ}22'10\frac{1}{4}"$ to the right East 743.88 ft. to the point of beginning; thence continue along the last named course 160.00 ft. to the Westerly right of way line of State Highway No. 119, said point being on a curve to the right having an angle of $1^{\circ}40'$, a Radius of 6538.11 ft.; thence $122^{\circ}28'$ to the right of the chord of said curve along the arc 200.00 ft.; thence $73^{\circ}57'$ to the right of the chord of curve Northwest 64.65 ft.; thence $77^{\circ}29'$ to the right Northeast 150.25 ft. to the point of beginning.



Filed and Recorded
Official Public Records
Judge James W. Fuhrmeister, Probate Judge,
County Clerk
Shelby County, AL
08/17/2017 02:44:19 PM
\$18.00 CHERRY
20170817000299390

A handwritten signature in black ink, appearing to be "J. W. Fuhrmeister", is written over the official text.