

EVA MILLER, BERNICE SCULLARK, AND  
ROGER MALONE  
GRANTORS

TO

WARRANTY DEED

RALPH GRISSOM, ET UX  
GRANTEES

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), cash in hand and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the Grantors, EVA MILLER, BERNICE SCULLARK, AND ROGER MALONE, hereby sell, convey and warrant unto the Grantees, RALPH GRISSOM and Wife, FREDA GRISSOM, as tenants by the entirety with full rights of survivorship and not as tenants in common, the land lying in DeSoto County, Mississippi, being more particularly described as follows to wit:

A part of the 40.10 acre tract of land originally owned by Hillery Miller known as TRACT NO. 3, containing 13.35 acres more or less, and being more particulrly described as follows:

Commencing at the northeast corner of Section 16, Township 3, Range 7 west in DeSoto County, Mississippi; thence west 5.0 chains to a Point; thence south with a variation of 6 degrees 0 minutes 10.10 chains to the Point of Beginning of the tract herein described: thence west with a variation of 6 degrees 0 minutes 26.21 chains to a point; thence south with a variation of 6 degrees 15 minutes 5.136 chains to a point; thence east with a variation of 6 degrees 0 minutes 26.21 chains to a point; thence north with a variation of 6 degrees 15 minutes 5.05 chains to the Point of Beginning. As per survey of Carl G. Clark, R.L.S, No. 1194, dated August, 1987.

By acceptance of this Deed, the parties agree that his conveyance is made subject to subdivision, health department, zoning and other regulations in effect in DeSoto County, Mississippi and rights of way and easements for public roads, flowage, and utilities. Taxes for the year 1987 shall be prorated at closing and paid by the Grantee when due. Possession is to be given upon delivery of this Deed.

By way of explanation, this is a part of the same land conveyed to Hillery Miller in Deed Book 21, Page 517 in the Office of the Chancery Clerk of DeSoto County, Mississippi. This

Deed was dated May 28, 1927. Hillery Miller died, leaving six (6) children, namely, James Miller, Eva Miller, Annie Mae Miller, Ruby Miller, Waymon Miller and Houston Miller. The above named Grantors, as per affidavit of heirship attached hereto are the only surviving heirs of Hillery Miller who have an interest in the above described property and the right to convey good title to the above described property. Bernice Scullark is the daughter of Annie Mae Miller Shaw and Roger Malone is the grandson of James Miller. See attached affidavit of heirship for details.

EXECUTED this 10<sup>th</sup> day of September, 1987.

Eva Miller  
EVA MILLER, GRANTOR

Bernice Scullark  
BERNICE SCULLARK, GRANTOR

Roger Malone  
ROGER MALONE, GRANTOR

STATE OF NEW YORK  
COUNTY OF BX

This day personally appeared before me, the undersigned authority in and for said County and State, the within named Eva Miller, who acknowledged that she signed and delivered the above and foregoing Warranty Deed on the day and date therein mentioned as her free and voluntary act and deed and for the purposes therein expressed.

GIVEN under my hand and official seal of office this the 10<sup>th</sup> day of September, 1987.

Mary Galindez  
Notary Public

MARY GALINDEZ  
NOTARY PUBLIC, STATE OF NEW YORK  
No. 03-4523171  
Qualified in Bronx County  
Commission Expires 12-31-88

STATE OF NEW YORK  
COUNTY OF BX

This day personally appeared before me, the undersigned authority in and for said County and State, the within named Bernice Scullark, who acknowledged that she signed and delivered the above and foregoing Warranty Deed on the day and date therein mentioned as her free and voluntary act and deed and for the purposes therein expressed.

GIVEN under my hand and official seal of office this the 10<sup>th</sup> day of September, 1987.

Mary Galindez  
Notary Public

My commission expires:

STATE OF NEW YORK  
MARY GALINDEZ  
NOTARY PUBLIC, STATE OF NEW YORK  
No. 03-4523171  
Qualified in Bronx County  
Commission Expires 12-31-88

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

This day personally appeared before me, the undersigned authority in and for said County and State, the within named Roger Malone, who acknowledged that she signed and delivered the above and foregoing Warranty Deed on the day and date therein mentioned as his free and voluntary act and deed and for the purposes therein expressed.

GIVEN under my hand and official seal of office this the 18<sup>th</sup> day of September, 1987.

Mary Walker Brown  
Notary Public



My commission expires:

My Commission Expires Jan, 31, 1991

GRANTORS ADDRESS & PHONE NO.: 1408 Webster Ave., #17-M, Bronx, NY  
10456 (212)588-9437

GRANTEES ADDRESS & PHONE NO. 1405 Biscayne, West Memphis, AR  
72301 901-529-3095

Plat of tract 3

COMMENCING POINT THIS SURVEY

666.6'

POINT OF BEGINNING THIS SURVEY

WEST R.O.W.

5.05 CH.

GETWELL ROAD

TRACT NO. 3

CERTIFICATE

To all persons interested in premises surveyed, This survey was made on the ground as shown hereon and is correct. There are no encroachments either way across property lines, except as shown hereon.

*Carl G. Clark*

Carl G. Clark R.L.S. no. 1194

13.35 AC.

WEST V.G. 26.21 CH.

EAST V.G. 26.21 CH.

5.136 CH.

SOUTH V.G. 15.11 CH.

DESCRIPTION

Commencing at the Northeast corner of Section 16 Township 3 North Range 7 West in DeSoto County, Miss. Thence West 5.0 chains to a point; Thence South with a variation of 6°-0' 10.10 chains to the Point of Beginning of the tract herein described:

Thence West with a variation of 6°-0' 26.21 chains to a point; Thence South with a variation of 6°-15' 5.136 chains to a point; Thence East with a variation of 6°-0' 26.21 chains to a point; Thence North with a variation of 6°-15' 5.05 chains to the Point of Beginning;

All lying in the Northeast Quarter of Section 16 aforesaid and containing 13.35 acres more or less,

SCALE 1"=20'

TOLERANCES

AFFIDAVIT OF HEIRSHIP

(HEIRSHIP OF HILLERY MILLER, DECEASED)

STATE OF MISSISSIPPI

COUNTY OF DESOTO

I, MINNIE ROBERTSON  
of lawful age, being first duly sworn upon his oath deposes and says the following:

That she was personally well acquainted with the deceased, Hillery Miller, during his lifetime, having known him for many years, most of his life, and that the affiant bears the following relationship to the said decedent:

My father, William Miller, and Hillery Miller, were brothers and so Hillery Miller was my Uncle.

Affiant further states that the deceased departed this life on or about July, 1944, and leaving no will at the time of his death. Affiant further states that he was well acquainted with the family and relatives of the decedent and with all those who would, under the laws of the State of Mississippi, be his heirs and that the following statements are based on personal knowledge of the affiant and are true and correct:

1. The decedent did not leave a will.
2. The decedent left a widow, Olivia Houston Miller, who died in March, 1960, while residing in New York State. The wife of the decedent, Olivia Houston Miller, also left no will. Neither Hillery Miller nor his wife, Olivia Houston Miller, had an administration of their estate.
3. The decedent was married only one time during his lifetime.

Below are the names and places of residences of the surviving children of the deceased, Hillery Miller, and the widow of the deceased, Olivia Houston Miller, together with any of the information recalled by this affiant:

1. James Miller, died in 1983, leaving no will and leaving one daughter, Janice Miller. He had two (2) wives who predeceased him. His only surviving heir, Janice Miller, died two (2) years ago, leaving as her only son, Roger Malone, of Olive Branch, Mississippi.
2. Eva Miller, who is still living and presently resides at Apt. 17-M, 1408 Webster Avenue, Bronx, NY 10456.
3. Annie Mae Miller Shaw, who died in January, 1932. Annie Mae Miller predeceased her husband, Percy Shaw, who died on October 1, 1977. Annie Mae Miller left no will; however, Percy Shaw left a will, and in his will gave all of his property to the only daughter of Annie Mae Miller Shaw and Percy Shaw, Bernice Shaw Scullark, who presently resides at 1730 Andrew Avenue, Apt. 5-L, Bronx, NY 10453. The Estate of Percy Shaw was probated properly in Lambert, MS, where he resided. No creditor's claims were filed and Bernice Shaw Scullark is the rightful heir of

4. Ruby Miller died prior to the time that Hillery Miller died, when she was twenty-two (22) years old. She lived in Memphis, Tennessee at the time of her death. Ruby Miller had one husband and one child. She left no will. Both her husband and her child predeceased her.

5. Wayman Miller died in 1970, leaving no wife and no children. At the time of his death he resided in Chicago, Illinois. He left no will.

6. Houston Miller died December 8, 1977, leaving no wife or children. He also resided in Chicago, Illinois at the time of his death. He left no will.

The only surviving heirs of Hillery Miller who may legally convey title to the 40.10 acre tract owned by Hillery Miller at the time of his death, are Eva Miller, his daughter, Bernice Shaw Scullark, his granddaughter, and Roger Malone, his great-grandson.

As far as can be determined, the decedent, Hillery Miller, left no unpaid debts.

The decedent, Hillery Miller, never adopted children, or had step-children taken into his home.

This information is true to the best of my knowledge, recollections, and belief, after having known the Hillery Miller family most of my life.

*Minnie Robertson*  
MINNIE ROBERTSON  
Getwell Road, Box 2090  
Hernando, Mississippi 38632

SUBSCRIBED AND SWORN TO before me this 18<sup>th</sup> day of September, 1987.

*May Walker Burns*  
Notary Public

My commission expires:  
My Commission Expires Jan. 31, 1991

Filed @ 11:00 A.M. 21 Sept. 1987  
Recorded in book 199 Page 31  
H. G. Ferguson, Chancery Clerk