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Shelby Cnty Judge of Probate, AL  
04/24/1978 12:00:00 AM FILED/CERT

STATE OF ALABAMA )  
SHELBY COUNTY )

Before me, the undersigned authority, in and for said County and State, personally appeared DEWEY W. McDONALD, who being known to me and being by me first duly sworn, deposes and says as follows:

My name is Dewey W. McDonald. I was born in 1916 and I am now 61 years of age. I have been familiar with the occupation, use and possession of the property shown and described on Exhibit "A" attached hereto and made a part hereof as fully as if set out herein, which said property is located in Shelby County, Alabama, for a period in excess of 50 years.

I moved onto the property described above when I was about 4 or 5 years of age which would have been in about 1920 or 1921. At that time the property was owned by my grandfather, John Franklin McDonald, who had purchased the property in about 1912.

The description as shown on Exhibit "A" shows the Eastern boundary of said property to be as located by Evander E. Peavy by survey dated February 18, 1978. The Eastern boundary of said property, however, as we have owned, possessed and claimed the same over the years has been somewhat to the East of the line located by said Evander Peavy by said survey, thus creating an additional strip of land in addition to that shown on Exhibit "A" which is now claimed by me as the owner of the said property and has been claimed by my family over the years. An approximate description of said additional strip would be as follows, to-wit:

Begin at the Southeastern corner of the property shown on Exhibit "A" attached hereto, and run thence in a Northerly direction in a straight line to a point on Shelby County Highway No. 49, which is approximately 40 feet East of the NE corner of the property shown on Exhibit "A" as measured along the highway right of way line; thence turn to the left and run Southwesterly 40 feet, more or less, to the Northeastern corner of the property described on Exhibit "A"; thence turn to the left and run Southerly 1723.48 feet, more or less, along the Eastern boundary of property described on Exhibit "A" to the point of beginning.

Said additional strip will be hereinafter referred to as the "additional strip".

When I first remember the above described property in about 1922 the entire property shown on Exhibit "A" with the exception of a couple of acres in the Southwestern corner thereof and the entire "additional strip" described above

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was in cultivation and my grandfather and my father were raising crops on the same and did so continuously for each and every year up until about the year 1938 or perhaps as late as 1940. In about 1938 or 1940 we ceased to cultivate about the Northern 350 feet or 400 feet along the East line of the property shown on Exhibit "A" and the "additional strip" due to the fact that the terrain there was somewhat steep and the soil not of the best agricultural quality. We continued, however, to cultivate each and every year all of the remaining portion of that land shown on Exhibit "A" and the "additional strip" continuously for each and every year up to the present time, although I primarily cut hay. There was also an additional strip along the Southeastern portion of the said property which began at the Southern base of the property shown on Exhibit "A" which extended North about 350 feet which we also stopped cultivating about 1938 or 1940. About 1925 or 1926 my grandfather, who owned the property at that time, built a fence along the Eastern boundary of the "additional strip" as described above. Said fence was constructed by my grandfather and my father in order to keep the cattle of the land owner adjoining to the East out of our cultivated fields. There is still evidence of this old fence starting at the Southeastern corner of the property shown on Exhibit "A" and running Northerly along the Eastern boundary of the "additional strip" to a point within a few hundred feet of Shelby County Highway 49. That old fence line which formed the Eastern boundary of the "additional strip" as described above herein, has been considered by me, my father and grandfather as the Eastern boundary of our property for more than fifty years and has always been recognized as the boundary line by the adjoining owners to the East of our property. There has never been any dispute, whatsoever, raised by any of the owners of the property to the East of the said "additional strip" concerning the location thereof as the true boundary between our said property and the land to the East thereof. In fact, the Eastern boundary of our property which was located North of Shelby County Highway 49 is also on an old fence line which is consistent with the Eastern boundary of the "additional strip" at the point of intersection with said line and the Northern boundary of said Highway 49.

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My father purchased the subject property from my grandfather in about 1929 and the property was deeded to me in 1974, after the death of my Mother.

Darvey W. McDonald

Sworn to and subscribed before me  
this 16th day of March, 1978.

Dorothy Canady  
Notary Public

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1097.22'

STATE OF ALABAMA  
SHELBY COUNTY

I, EVANDER E. PEAVY, A REGISTERED LAND SURVEYOR IN THE STATE OF ALABAMA, HEREBY CERTIFY THIS TO BE A TRUE AND CORRECT PLAT OF THE LAND SHOWN AND SO SURVEYED BY ME THIS 18 TH DAY OF FEBRUARY, 1978.

ALA. REG. NO. 6169

LEGAL DESCRIPTION:

FROM THE SOUTHEAST CORNER OF SECTION 31, T-20-S, R-1-E, RUN WESTWARDLY ALONG THE SOUTH LINE OF SAID 1/4-1/4 A DISTANCE OF 1349.97 FT. TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED ALSO BEING THE SOUTHEAST CORNER OF THE S.W. 1/4 OF THE SE 1/4 OF SAID SECTION; THENCE CONTINUE ALONG SAID SOUTH LINE IN A STRAIGHT LINE A DISTANCE OF 760.64 FT.; THENCE RIGHT 92°-57' A DISTANCE OF 293.85 FT. TO A POINT; THENCE AT AN ANGLE TO THE LEFT OF 13°-20' A DISTANCE OF 78.10 FT.; THENCE RIGHT 87°-40' A DISTANCE OF 169.87 FT.; THENCE LEFT 75°-12' A DISTANCE OF 1097.22 FT. TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF A COUNTY ROAD; THENCE RIGHT 69°-50' A DISTANCE OF 619.39 FT. TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF SAID ROAD; THENCE RIGHT 109°-39'-30" A DISTANCE OF 1723.48 FT. TO THE POINT OF BEGINNING.

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1978 APR 24 AM 9 20

Judge of Probate  
Fee 6.00  
Dated 1.00  
7.00

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