

STATE OF ALABAMA )  
COUNTY OF SHELBY )

1895

AFFIDAVIT REGARDING REAL ESTATE

Comes now, Barney L. Norris, the Affiant herein, and after first being duly sworn, said Affiant does hereby depose and say as follows:

1. That Affiant has personal knowledge of the facts stated herein.

2. Prior to 1949, Austin Cox owned certain real estate located in Shelby County, Alabama, and in 1949, said Austin Cox installed a fence along the North boundary of the said property which he previously owned, as designated above. On or about January 15, 1951, the Affiant and his wife, Versie Norris, purchased certain property in Shelby County, Alabama, which was contiguous to the real estate heretofore cited, as owned by Austin Cox; said Deed being recorded in the Shelby County Probate Office at Book 149, Page 476.

3. On or about March 5, 1966, the Affiant and his above designated wife, conveyed a certain portion of the real estate to which they acquired title in 1951, to Wylis F. Clark and wife, Janice W. Clark; said property was that which was immediately contiguous North of the property line of Austin Cox, and the Deed regarding said conveyance was recorded at Book 211, Page 505 in the Shelby County Probate Office. On or about June 21, 1973, the heirs of Austin Cox conveyed certain real estate immediately to the South of the above designated established fence line to Jerry W. Cox and wife, Dale Cox, and said Deed was recorded at Book 281, Page 203 in the Probate Office of Shelby County, Alabama. Said real estate is herein specifically described as follows:

Commence at the NW corner of the SE 1/4 of the NW 1/4 of Section 15, Township 21 South, Range 3 West, thence run East along the North line of said 1/4 1/4 section a distance of 214.87 feet to the point of beginning. Thence continue along said 1/4 1/4 section a distance of 328.00 feet. thence turn an angle of 88 deg. 19 min. 38 sec. to the right and run a distance of 1328.82 feet to the South line of said 1/4 1/4 section. Thence turn an angle of 91 deg. 39 min. 14 sec. to the right and run along the South line of said 1/4 1/4 section a distance of 328.00 feet, thence turn an angle of 88 deg. 20 min. 46 sec. to the right and run a distance of 1328.93 feet to the point of beginning. Situated in the SE 1/4 of the NW 1/4 of Section 15, Township 21 South, Range 3 West, Shelby County, Alabama. Containing 10 Acres.

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4. On July 5, 1973, the Affiant and his wife, Versie Norris, conveyed the exact same property by Quitclaim Deed to Jerry W. Cox and wife, Dale Cox, with the intent of conveying any and all property, contained within the ten (10) acres, more or less, which was situated South of the established fence line to said Grantees; said Deed being recorded at Book 281, Page 202 in the Office of the Probate Judge of Shelby County, Alabama.

5. On or about March 31, 1989, Wylis F. Clark, a single man and Janice W. Clark Vick and husband, Edgar Vick, conveyed their property, situated North of the established fence line to Benny R. Weaver and Katherine D. Osborn Weaver; said Deed being recorded at Book 233, Page 318 in the office of the Probate Judge of Shelby County, Alabama.

6. Since January 15, 1959, when the Affiant and his wife purchased their real estate to the North of the real estate then owned by Austin Cox, more particularly the hereinabove described realty currently owned by Jerry W. Cox and wife, Dale Cox, the Affiant and his wife, including Austin Cox and his successors in title, have always recognized the fence line existing since 1949 as the boundary line which separated the Affiant's real estate from that previously owned by Austin Cox which immediately adjoins said property to the South; and it was the absolute intent of the Affiant and his wife, upon June 21, 1973, to withdraw any claim to the property which is South of said fence line and currently owned by Jerry W. Cox and wife, Dale Cox.

7. The heretofore designated fence line has, since 1951, from time to time been tended and repaired by certain property owners within the chain of title, who were located both to the North and South of said fence line, however, neither the position nor direction of said fence line has been altered since said date.

FURTHERMORE, the Affiant saith naught.

Barney L. Norris  
Barney L. Norris

STATE OF ALABAMA )  
COUNTY OF SHELBY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Barney L. Norris whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 24<sup>th</sup> day of May, 1989.

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS INSTRUMENT WAS FILED

89 MAY 26 AM 11:28

Thomas W. [Signature]  
JUDGE OF PROBATE

[Signature]  
Notary Public

9/89

RECORDING FEE

Recording Fee \$ 5.00

Index Fee 2.00

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