

STATE OF ALABAMA

COUNTY OF SHELBY

**AFFIDAVIT**

Before me, the undersigned, a notary public in and for said county, in said state, personally appeared Jean B. Arthur, who, being known to me and being by me first duly sworn, deposed and said as follows:

My name is Jean B. Arthur. I am over the age of 19 years and am personally acquainted with the facts stated herein.

By virtue of the will probated in the Estate of Iva Nora Arthur, deceased, Shelby County Probate Court case no. 91-454, Violette Lorene Spence was given certain real estate in Section 13, Township 20 South, Range 1 West, Shelby County, Alabama, lying south of and running up to an old road. My three children, Von L. Arthur II, Gip Arthur, and Chris Dorough, were given a remainder interest (subject to Violette Spence's life estate) in the rest of the Iva Nora Arthur real estate. The old road in question has not been used by the public as a public road since the early 1900's. It was replaced by alternate roads, the newest of which is now known as Shelby County Highway No. 49. Since its abandonment as a public road, the old roadbed has been used as a driveway to a house, which is its current use. According to the description of land in the will of Iva Nora Arthur, all of this old roadbed is on the land given to my three children. The purpose of this affidavit is to place on the property records of Shelby County, Alabama, the facts contained herein and to prevent acquisition of the old roadbed by adverse possession (statutory, prescriptive, or otherwise) by adjoining property owners or any others making claim to such roadbed or the right to use such roadbed.

This the 13 day of January, 1997.

  
Jean B. Arthur

Inst # 1997-01217

01/13/1997-01217  
10:07 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 MCB 11.00

Inst # 1997-01217

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COUNTY OF SHELBY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Jean B. Arthur, whose name is signed to this instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, she executed the same voluntarily.

Given under my hand and official seal this the 13th day of January, 1997.

William R. Justice  
Notary Public



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