

AFFIDAVIT OF ADVERSE POSSESSION

**STATE OF ALABAMA
JEFFERSON COUNTY**

Before me, the undersigned authority in and for said County and State personally appeared Albert E. Ritchey (**AFFIANT**) who is known to me and who being first by me duly sworn, deposes and says as follows:

That he is over nineteen (19) years of age, is of sound mind, and has lived in the City of Vestavia Hills, Jefferson County, Alabama continuously since the year 1971 to the date of this Affidavit. That he became personally acquainted with James Carter Denton and Emma Jean Denton sometimes in 1987.

This Affidavit is taken concerning those real properties owned by James Carter Denton and Emma Jean Denton as described in Deed Book 9611, Page 3487, Deed Book 9611, Page 3492 in the Probate Office of Jefferson County, Alabama, and those real properties described in Deed Book 2008, Page 45597 in the Probate Office of Shelby County, Alabama, more particularly described as:

That the said property is described as:

Parcel I:

Part of the North one-half of Southeast Quarter of Southeast Quarter of Section 22, Township 17 South, Range 1 East, more particularly described as follows: Commence at the Northwest corner of the Southeast Quarter of Southeast Quarter; thence East along the North line of said quarter-quarter section 812.35 feet to the Northeast corner of property conveyed to Frankie C. Parker and Carol E. Parker, by deed recorded in Real Volume 1014, Page 847, said point being the point of beginning; thence continue East 524.98 feet to the Northeast corner of said Quarter-quarter section; thence south along the East line of said quarter-quarter section 659.49 feet to the Southeast corner of the North one-half of the Southeast quarter of Southeast Quarter; thence West along the South line of said North one-half of the Southeast Quarter of Southeast Quarter 620 feet to the Southeast corner of property conveyed to Marvin Latham and Lena Latham by deed recorded in Volume 6308, Page 330, thence 89 degrees 53 minutes right 59.72 feet along East line of said Latham property to the South line of Alabama Power Company easement; thence 44 degrees 6 minutes left along said easement and along said Latham property 122.83 feet; thence 1 degree 11 minutes left along said easement and along said Latham property and along the Northeasterly line of property conveyed to Ellen M. Isbell by deed recorded in Volume 6696, Page 670, 222.34 feet; thence 43 degrees 40 minutes left 73.41 feet along said Isbell property; thence 90 degrees right and Northwesterly along East line of said Isbell

property 138 feet, more or less; thence 16 degrees 50 minutes left 30.42 feet Northwesterly along East line of said Isbell property to the Southwest corner of aforementioned Parker property; thence East along South line of said Parker property 455.27 feet; thence North along East line of said Parker property 210 feet to the point of beginning. Situated in Jefferson County, Alabama.

Less and except that part conveyed to the City of Leeds, Alabama, recorded in real volume 2423, Pages 573 and 574, in the Office of the Judge of Probate of Jefferson County, Alabama.

Deed Reference: Deed Dated 9/13/1996; Book 9611, Page 3492, in the Office of the Judge of Probate of Jefferson County, Alabama.

Parcel ID No: 25-22-4-000-025.00, Jefferson County, Alabama.

Parcel II:

South $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 22, Township 17, Range 1 East. Situated in Jefferson County, Alabama.

Deed Reference: Deed Dated 9/13/1996; Book 9611, Page 3487, in the Office of the Judge of Probate of Jefferson County, Alabama.

Parcel ID No: 25-22-4-000-030.000, Jefferson County, Alabama

Parcel III.

The SW $\frac{1}{4}$ of Section 23, Township 17, Range 1 East. Situated in Shelby County, Alabama.

Deed Reference: Deed Dated 9/13/1996; Book 2008, Page 45597, in the Office of the Judge of Probate of Shelby County, Alabama.

Parcel ID No: 01-7-26-0-000-004.000, Shelby County, Alabama

Parcel IV.

The NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 26, Township 17, Range 1 East. Situated in Shelby County, Alabama.

Deed Reference: Deed Dated 9/13/1996; Book 2008, Page 45597, in the Office of the Judge of Probate of Shelby County, Alabama.

Parcel ID NO: 01-6-23-0-001-043.000, Shelby County, Alabama.

(collectively hereinafter referred to as the "Real Properties").


Affiant was the attorney for James Carter Denton and Emma Jean Denton when they conveyed Real Properties to a limited liability company (LLC) whereby James Carter Denton and Emma Jean Denton were initial members of said LLC, (CERH, LLC) in 1996. Affiant also has property adjoining some of said Real Properties and has been familiar with said property since 1987. If the above referred to Real Properties is the same property which was conveyed by James Carter Denton and Emma Jean Denton to CERH, LLC then, during all the time that Affiant has known said Real Properties, Affiant has never known or heard of anyone disputing the ownership of the Real Properties or making any claim to any part thereof other than the Dentons and CERH, LLC.

This Affidavit is true and correct and is given according to the best of my knowledge, information and belief.

In Witness Whereof, I have thereunto set my hand and seal on this the 12th day of April, 2010.


ALBERT E. RITCHEY

Sworn to and subscribed before me on this the 12th day of April, 2010.


Notary Public
My Commission Expires: 10/5/13



20100414000114110 3/6 \$26.00
Shelby Cnty Judge of Probate, AL
04/14/2010 01:42:06 PM FILED/CERT

EXHIBIT "A"

PARCEL I:

The Southwest Quarter of Section 23, Township 17 South, Range 1 East, Shelby County, Alabama, containing 160.32 acres, more or less, and being more particularly described as follows:

Beginning at a 3" capped pipe representing the Southwest corner of said Section 23; thence run N 01°21'24" E along the west line of said Section 23 for 1,312.51' to a 3/4" pipe representing the Northwest corner of the Southwest Quarter of said Section 23; thence run N 01°14'56" E along said west line for 664.92' to a 3/4" crimped pipe; thence run N 01°21'03" E along said west line for 628.66' to a 3" capped pipe representing the Northwest corner of the Southwest Quarter of said Section 23; thence run S 89°52'02" E along the north line of said Southwest Quarter for 2,659.45' to a 1/2" rod set at the Northeast corner of said Southwest Quarter; thence run S 00°28'04" W along the east line of said Southwest Quarter for 2,608.54' to a 5/8" capped rebar representing the Southeast corner of said Southwest Quarter; thence run N 89°48'09" W along the south line of said Southwest Quarter for 1,349.09' to a 5/8" capped rebar representing the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 23; thence run N 89°48'21" W along the south line of the Southwest Quarter of the Southwest Quarter of said Section 23 for 1,349.46' to the point of beginning.

Said tract being subject to any easements or rights-of-way of record over or across said tract.

PARCEL II:

The Northwest Quarter of the Northwest Quarter of Section 26, Township 17 South, Range 1 East, Shelby County, Alabama, containing 40.84 acres, more or less, and being more particularly described as follows:

Beginning at a 3" capped pipe representing the Northwest corner of the Northwest Quarter of the Northwest Quarter of said Section 26; thence run S 89°48'21" E along the north line of the Northwest Quarter of the Northwest Quarter of said Section 26 for 1,349.46' to a 5/8" capped rebar representing the Northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 26; thence run S 00°58'57" W along the east line of the Northwest Quarter of the Northwest Quarter of said Section 26 for 1,321.15' to a 5/8" capped rebar representing the Southeast corner of the Northwest Quarter of the Northwest Quarter of said Section 26; thence run N 89°49'33" W along the south line of the Northwest Quarter of the Northwest Quarter of said Section 26 for 1,343.32' to a 1 1/2" iron bar representing the Southwest corner of the Northwest Quarter of the Northwest Quarter of said Section 26; thence run N 00°42'58" E along the west line of the Northwest Quarter of the Northwest Quarter of said Section 26 for 1,321.54' to the point of beginning.

Said tract being subject to any easements or rights-of-way of record over or across said tract.

PARCEL III:

The South Half of the Southeast Quarter of the Southeast Quarter of Section 22, Township 17 South, Range 1 East, Jefferson County, Alabama, containing 20.25 acres, more or less, and being more particularly described as follows:

Beginning at a 3" capped pipe representing the Southeast corner of said South Half; thence run N 88°38'42" W along the south line of said South Half for 1,338.18' to a 1½" iron bar representing the Southwest corner of said South Half; thence run N 01°25'02" E along the west line of said South Half for 660.04' to a ¾" crimped pipe representing the Northwest corner of said South Half; thence run S 88°41'18" E along the monumented north line of said South Half for 722.38' to a ¾" pipe; thence run S 88°14'28" E along said monumented line for 615.12' to a ½" rod set at the Northeast corner of said South Half; thence run S 01°21'24" W along the east line of said South Half for 656.25' to the point of beginning.


Said tract being subject to any easements or rights-of-way of record over or across said tract.

PARCEL IV:

Part of the North Half of the Southeast Quarter of the Southeast Quarter of Section 22, Township 17 South, Range 1 East, Jefferson County, Alabama, containing 10.42 acres, more or less, and being more particularly described as follows:

Commence at a 3" capped pipe representing the Northwest corner of said North Half; thence run S 88°16'09" E along the monumented north line of said North Half for 812.46' to a ¾" pipe at the Northeast corner of that parcel described in Real Volume 1014, at Page 847, and the point of beginning of the tract herein described; thence run S 88°21'02" E along said monumented line for 524.75' to a ¾" pipe representing the Northeast corner of said North Half; thence run S 01°21'24" W along the east line of said North Half for 656.25' to a ½" rod set at the Southeast corner of said North Half; thence run N 88°14'28" W along the monumented south line of said North Half for 615.12' to a ¾" pipe at the Southeast corner of that parcel described in Volume 6308, at Page 330; thence with a right deflection angle of 82°04'22", run N 06°35'53" W along the east line of that parcel described in Volume 6308, at Page 330 for 57.13' to a ¾" pipe; thence with a left deflection angle of 27°51'32", run N 34°27'25" W along the northeast line of that parcel described in Volume 6308, at Page 330 for 122.83' to a ½" rod set; thence with a left deflection angle of 3°53'09", run N 38°20'34" W along the northeast line of that parcel described in Volume 6308, at Page 330 and along the northeast line of that parcel described in Volume 6696, at Page 670 for 222.34' to a ½" rod set; thence with a left deflection angle of 43°40', run N 82°00'34" W along the northeast line of that parcel described in Volume 6696, at Page 670 for 73.41' to a ½" rod set; thence with a right deflection angle of 48°42'28", run N 33°18'06" W along the east line of that parcel described in Volume 6696, at Page 670 for 102.15' to a ¾" pipe; thence with a right deflection angle of 9°51'57", run N 23°26'09" W along the east line of that parcel described in Volume 6696, at Page 670 for 30.46' to a ¾" pipe at the southwest corner of that parcel described in Real Volume 1014, at Page 847; thence run S 88°16'32" E for 455.03' to a ¾" pipe; thence run N 01°36'36" E for 210.12' to the point of beginning.

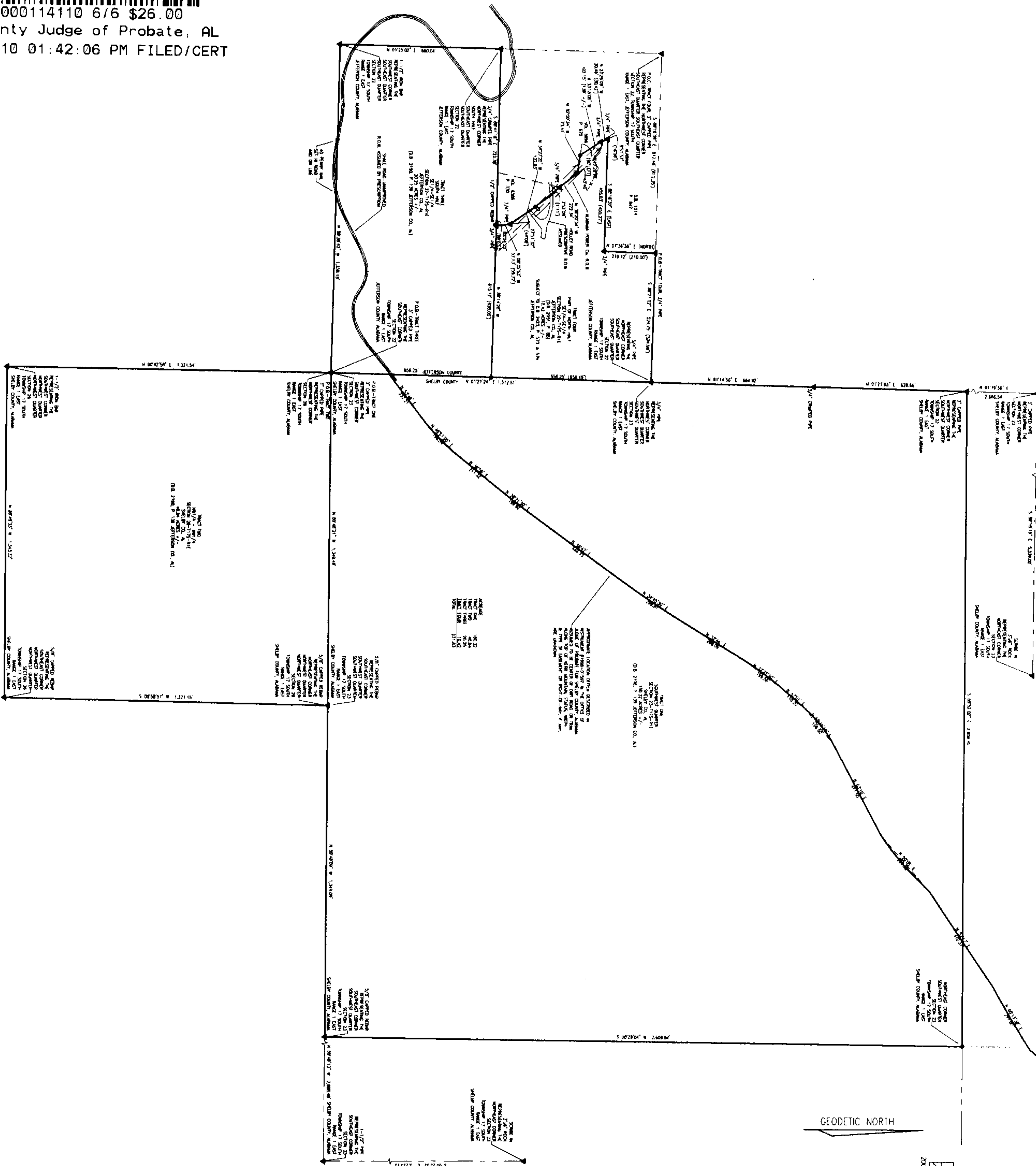
Said tract being subject to any easements or rights-of-way of record over or across said tract.


20100414000114110 5/6 \$26.00
Shelby Cnty Judge of Probate, AL
04/14/2010 01:42:06 PM FILED/CERT



20100414000114110 6/6 \$26.00
Shelby Cnty Judge of Probate, AL
04/14/2010 01:42:06 PM FILED/CERT

EXHIBIT B



20100414000389120 6/6
Bk: LR201003 Pg:15443
Jefferson County, Alabama
04/14/2010 09:33:38 AM AFF
Fee - \$20.00

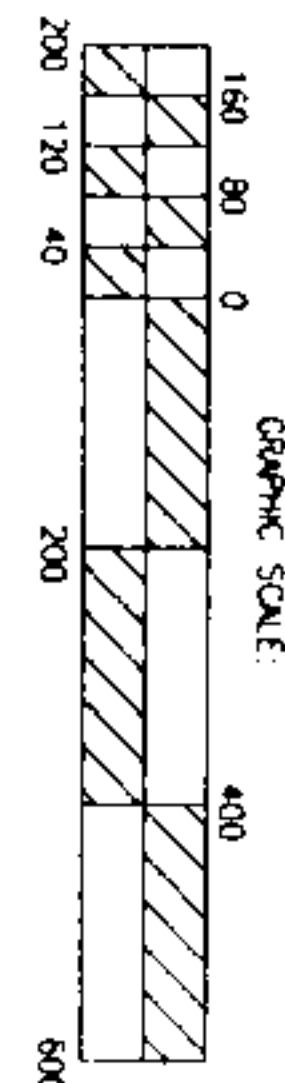
Total of Fees and Taxes-\$20.00
JCOCKRELL

NOTE: 1. ITEMS IN PARENTHESES ARE PER PREVIOUS RECORD.
2. THERE WAS NO SUBSURFACE INVESTIGATION CONDUCTED FOR THE PURPOSE OF THIS SURVEY AND THERE ARE NO KNOWN SUBSURFACE OBSTRUCTIONS, EXCEPT AS SHOWN.
3. IMPROVEMENTS, EXCEPT AS SHOWN, ARE NOT TO BE CONSIDERED FOR THE PURPOSE OF THIS SURVEY.
4. THE TRACTS SHOWN HEREON ARE SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY RECORDED IN DB 4826, P. 260, AND DB 3997, P. 304, JEFFERSON COUNTY, ALABAMA.

CHARLES D. ROBERTS, P.L.S.
AL REG. NO. 17520

Witness my hand this 9th day of April, 2010.

STATE OF ALABAMA
JEFFERSON AND SHELBY COUNTIES
I, Charles D. Roberts, a Professional Land Surveyor in the State of Alabama, hereby state that the herein is a representation of the results of a survey which was performed under my supervision and was based on a comparison with the current requirements of the Standards of Practice for Surveyors in the State of Alabama to the best of my knowledge, information, or belief.



LEGEND
--- FENCE
--- EXISTING MONUMENT
--- 1/2" ROD SET
--- OVERHEAD CABLE LINE
--- POINT OF BEGINNING

SHEET: of	BOUNDARY SURVEY for SAMUEL D. HASKELL	LOCATED IN SECTIONS 22, 23 and 26 all in TOWNSHIP 17 SOUTH, RANGE 1 EAST JEFFERSON and SHELBY COUNTIES, ALABAMA	REVISIONS		SCALE 1"=200'	DATE 04/09/10	FIELD SURVEY DATE 03/18/22, 25, 29/10 04/01, 06, 08/10	
			DATE	BY			FIELD BOOK No. 233	
					DRAWN BY CM, CDR	APPROVED BY CDR	JOB No. 02231	
					C.D. ROBERTS ASSOCIATES, INC. 119 NORTH EAST STREET P.O. BOX 78 TALLADEGA, AL 35161 PHONE & FAX: (256) 761-0094			