

AFFIDAVIT

THE STATE OF ALABAMA)

SHELBY COUNTY)

Before the undersigned authority personally appeared W.S. Lyman of Montevallo Alabama, who being duly sworn deposes and says:

That he is wellacquainted with Lot No. 17 and part of lot No. 16 according to the original plan of the town of Montevallo, now owned by Reid Motor Company and has been since his earliest recollection, having beenborn in a two story frame building that stood on said lot No. 17 immediately on the corner of Broad and Shelby Streets, sixty eight years ago; that his recollection of the owners and occupants of said lots from about 1870 is clear and distinct; that at that time his father with his family, lived in the second story of said building and as surviving partner of the firm of Lyman & Davis and individually, had done a mercantile business on the first floor thereof and continued so to do until 1874, when he gave up such business subleasing the first floor to J.W. Harris, who conducted a drug store init, My father and family continuing to occupy the upper story until his death in 1876. He had been a tenant of and holding under the firm of Malone & Foote, of Mobile; that when the said last mentioned firm or its members sold the property to Mary J. Reynolds, her husband and son formed a partnership under the firm name H.C. & W. B. Reynolds and occupied the building as merchants until to wit: 1897-98, during much of said time the U.S. Post Office was located in one part of the building rented from Mary J. Reynolds or her tenants H.C. & W.B. Reynolds. The Lyman family gave up possession of the upper floor to the Reynolds' about 1879; The next tenant after H.C. & W.B. Reynolds was F. W. Rogan who conducted on the lower floor a furniture store; during his term the original building was burned, according to my recollection about 1907. He was a tenant of Mrs. Mary J. Reynolds. The property now owned and occupied by Reid Motor Co. then remained vacant until it was purchased by and conveyed to Alma Ellis in 1912; but during all that time, Mary J. Reynolds owned the entire block on which said Motor Company's lot is located and which other parts of said block contained an old warehouse building, a two room dwelling house and a blacksmith shop, all of which, practically all the time, were rented out to various tenants of Mary J. Reynolds or her heirs, through H.C. Reynolds. In 1912, upon the purchase by Alma Ellis, she erected a brick building on the corner now occupied by Reid Motor Company and she or her husband, Jno. T. Ellis operated a picture show until it was destroyed by fire in about 1917. Charles Blanchard next acquired this property from Alma Ellis and husband and built, during 1919, the present brick garage building, using it as a storage or warehouse until Reid Motor Company bought it from him in 1924, since which time said Motor Company has continually operated in it a garage, automobile sales business and repair ship. Since 1870, (and before) to affiant's personal knowledge, Malone & Foote and those claiming under them, as shown by the abstract certified by Shelby County Abstract Company, on, to-wit: the 25th day of June, 1930, have been in the open, notorious, continuous, exclusive, adverse possession of said property now claimed and occupied by Reid Motor Company, free from any adverse claim.

Affiant further states that in his opinion, an absolutely accurate survey of said lots cannot be made, for lack of an absolutely accurate starting point, the town having been laid off in 1823, and, according to the map thereof, not tied to a definite and unchangeable point. However, affiant does know and state that the southeast

front and the northeast side of said original frame house stood plumb on the northwest margin of broad street and the southwest margin of Shelby Street, respectively, as said lines of said streets have, since he can recollect, been and still are generally recognized, and that the present garage building, on the west corner of said streets, conforms to the said recognized lines and is wholly on and within said lot No 17, except that a shed roof, supported by brick columns along the curb, extends from the front and part of the side of said building, over the sidewalk, presumably by consent of the Town Council; certainly with its acquiescence.

E. S. Lyman

Sworn to and subscribed before me this the 18th day of July 1930.

Sallie Hooker--Motary public

THE STATE OF ALABAMA)

SHELBY COUNTY)

I hereby certify that the within affidavit was filed in this office for record July 24th 1930 at 9 oclock A.M. and recorded in Deed records 91 page 391 and examined,

Cage Head--Judge of Probate