

STATE OF ALABAMA,

SHELBY COUNTY.

Personally came and appeared before me, J. R. Johnson, a Justice of the Peace, in and for said County in said State, S. J. Kendrick, who after being first by me, duly sworn according to law to speak the truth deposes and says, that he is 73 years of age and has lived in or near Montevallo, Alabama, for the last 40 years and has been during that time well acquainted with the following described property and those in possession of it, to wit:

Parts of Lots 19 and 20 in the survey of the Town of Montevallo, more particularly described as follows:- Commence at the intersection of the Northwest side of Broad Street and the Northeast side of Shelby Street, run thence Northeasterly along said line of Broad Street 133 feet and 2 inches for a point of beginning, continue thence Northeasterly along said line of Broad Street 25.4 feet, run thence Northwesterly parallel with Shelby Street 300 feet, more or less, to the Southeast line of Valley Street, run thence Southwesterly along said line of Valley Street 25.4 feet, run thence Southeasterly to the point of beginning.

When affiant first came to Montevallo to live there was a store building on this lot and the adjoining lot known as the Morgan property, George W. Morgan and C. L. Meroney were doing business there under the name of Morgan and Meroney, affiant does not know whether Samuel J. Morgan was connected with this business or not, but it is his information that the building and lot belonged to George W. Morgan and Samuel J. Morgan. After a few years Mr. Meroney withdrew from the business and George W. Morgan continued (affiant does not remember the name under which he operated or who was interested with him but knows he was the active head store was destroyed by fire.

That said lot was vacant and unused by any one after the fire until about the year 1925 when W. H. Mitchell bought it and built a brick store building thereon which he rented to tenants who did business therein until the death of the said W. H. Mitchell about the year 1933; that since the Birmingham Trust and Savings Company, as Trustee under the will of the said W. H. Mitchell has rented it to tenants who have done business there and exercised possession over said property.

That for the past 40 years the said Birmingham Trust and Savings Company, as Trustee and those through whom they claim have been in the actual, open, notorious, peaceful, quiet, exclusive, adverse, and hostile possession of said lot claiming it under color of title and claim of ownership. That at no time during said time has any one been in possession of any part of said lot claiming adverse to said owners, nor has he ever known of any one claiming any title or interest in or to said lot adverse to said owners.

his  
S. J. x Kendrick  
mark

Sworn to and subscribed before me this the 14 day of December, 1935.

J. R. Johnson

Justice of the Peace

Witness: S. A. Lokey.

Filed for record in this office the 3rd day of June, 1936 at 10:30 AM and recorded in Deed Record #101, on page 16, and examined.

L. C. Walker, Judge of Probate, Shelby County, Ala.