AFFIDAVIT

#-120

STATE OF ALABAMA

SHELBY COUNTY

Before me, W. A. Crim, Justice of the Peace, the undersigned authority in and for said County, in said State, personally appeared J.W. Burgess, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is J.W. Burgess. I am 55 years of age and have been dealing in real estate in the vicinity of Calera, Alabama, for the past twenty years and during said time I have been familiar with the following described land:

One Lot or parcel of land described as beginning on the west line of U.S. Highway # 31 at a point where the same crosses the south line of Block 83 according to Dunstants Survey and map of Calera, Alabama, and run north, 4 degrees and 35 minutes east, 127 feet to the point of beginning of the lot herein described; thence south, 81 degrees and 15 minutes west, 166 feet; thence north 7 degrees and 45 minutes west, 60 feet; thence north 81 degrees and 15 minutes east, 166 feet; thence south 7 degrees and 45 minutes west, 60 feet to the point of beginning; being situated in NW<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of Section 16, Township 22, Range 2 West, Shelby County, Alabama.

During the year that W. W. Clark owned said land, I attempted to find a purchaser for it for—it for W.W. Clark. During said time W. T. Burnett talked to me about purchasing the land but no agreement was ever entered into with him in writing for the purchase of the same. I understand that Tax Sale Record 10, page 48 in the Probate Office of Shelby County, Alabama, indicates that W. T. Burnett assessed said land for taxes for the year 1930 and that upon non-payment of taxes said property was sold to the State of Alabamaat a Tax Sale. I know of my own personal knowledge that W. T. Burnett did not own said land at any time since I have known it. The said W. T. Burnett died, to the best of my judgment, 6 or 7 years ago. Affiant further says that the above escribed lot was formerly 175 feet long but that he understands from its present owner, Lula Mae George, that when the Montgomery Highway was widened to a width of 100 feet, her front fence, being east boundary fence was moved westward nine feet so that the lot is now only 166 feet long. Affiant further says that said lot has sometimes heretofore been erroneously described as follows:

One Lot or parcel of land beginning on Montgomery Avenue at a point 140 feet north of the east and west line of Block 83, according to Dupstan's Survey and Map of Calera,; thence north on Montgomery Avenue 60 feet; thence west 175 feet; thence south 60 feet; thence east 175 feet to the point of beginning; being situated in NW<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of Section 16, Township 22, Range 2 West, Shelby County, Alabama.

Affiant further says that he has been familiar with said land as described first in this affidavit since the time it was owned by J.L. Hayes, Jr. in the year 1927. That all of said land has been under fence and in possession of J.L. Hayes and his successors in title continuously until this very day. Affiant further says that he has never known of anyone disputing their title or contesting their possession.

State of Alabama

Shelby County

Sworn to and subscribed to by me this 19 day of November, 1947.

W. A. Crim

Justice of the Peace

Filed in the office of the Probate Judge the 21st day of November, 1947 at 11 o'clock A.M. and recorded in the Deed Record 131 on page 6 on this the 8th day of December, 1947.

L.C. Walker,

NO TAX DUE ON THIS INSTRUMENT

Judge of Probate