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AFFIDAVIT

STATE OF ALABAMA,
SHELBY COUNTY,

Before me, Mrs. J.W. Donahoo, the undersigned authority in and for said County, in said State, personally appeared T.M. Spruell, who, after being by me first duly sworn to speak the truth, deposes and says;

My name is T.M. Spruell. I am sometimes known as T.M. Spruell, Sr. and have sometimes heretofore been known as T.M. Spruill. I am 72 years of age and have lived in the Harpersville community of Shelby County, Alabama, for the past 65 years and have all along been acquained with the property described below and the persons in possession of it. Said property being described as follows:

Beginning at the northeast corner of the Kimbrough Brothers brick store building lot in the Town of Harpersville and running in a northeasterly direction along the west line of Alabama Highway # 25, 85 feet; thence northwesterly 113 feet; thence southwesterly 85 feet; thence southeasterly 113 feet to the point of beginning; said point or tract being situated in the Town of Harpersville, Shelby County, Alabama, being more partiecularly described as follows:

Begin at the southwest corner of SW<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of Section 28, Township 19, Range 2 East, which corner is marked by a wagon skein and from said point run north., 27 degrees and 15 minutes east. 167.2 feet to a point on the west line of Alabama Highway # 25 to the point of beginning; thence north, 72 degrees and 5 minutes west, 113 feet; thence north, 16 degrees and 30 minutes east, 85 feet; thence south, 72 degrees and .05 minutes east, 113 feet to the west line of said highway; thence along same south, 16 degrees 30 minutes west, 85 feet to the point of beginning; said parcel of land being situated in the SW<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> and the SE<sup>1</sup>/<sub>4</sub> of Sw<sup>1</sup>/<sub>4</sub> of Section 28, Township 19, Range 2 East, Shelby County, Alabama.

The about described lot is a part of the following described land:

One lot or pardel of land in Harpersville, Alabama, known as the Mill lot bounded on the south by Kimbrough's store; on the east by Coosa Valley Road, on the west by lot now owned by Adams and on the north by Looney's lot and lot owned by R.M. Borum, containing 3 acres, more or less; situated in Shelby County, Alabama.

the 3 acre parcel of land described immediately above was for several years owned by T.J. Martin. He sold the same in February 1912 to G.W. Burrough, as shown by deed recorded in Deed Book 53 Page 133 and the Probate Office of Shelby County, Alabama. The said G.W. Burrough sold the same to L.C. Boxum in the month of September, 1912, as shown by deed recorded in Deed Book 53, Page 134 in said Probate Office. In March, 1917, L.C. Boxum sold said land to me, as shown by deed recorded in Deed Book 59, page 636 in said Probate Office. In June, 1919, I sold the same, along with other lands, to Herman Snead, all of which land is more particularly described in deed Book 66, Page 111 in said Probate Office. In March, 1920, H.C. Snead, being the same persons as Herman Snead, resold said land to me, as shown by deed recorded in Deed Book 70 page 623 in said Probate Office. On December 5, 1928, I sold the lot, being 85° x 113° and more particularly described at the beginning of this affidavit, to H. M. Morris, at which time my wife and I executed a warranty deed to him. I understonad this deed has been lost or destroyed without being recorded, so we are executing a new deed to the said H.M. Morris. From the time T.J. Martin owned said land to the present date, it has been in actual possession of the persons owning the same, as mentioned in this affidavit, and they have exerted acts of ownership over the same, either by occupying, renting the builddings or cultivating the land and I have never heard of any one disputing their title or contenting their possession.

I am familiar with the property described in that certain mortgage from W.T. Taylor, Jr. and wife and J.H. Stone and wife to Southern Cotton Oil Company dated March 6, 1931, and recorded in Mortgage Book 155, Page 351 and I known of my own knowledge that the land described in said mortgage does not encroach upon the land now claimed by H.M. Morris.

I am also acquainted with the property described in a deed from William Looney to H.B. Lane recorded in Deed Book 50, page 60 and also mortgage from H.B. Lane to I & A Black dated August 9, 1913, and

recorded in Mortgage Book 104 page 397, also deed from Rhoda A. Lane to Ada E. Adams recorded in Deed Book 56 Page 15, also deed from H.B. Lane by J.R. Allan, Sheriff, to G.W. Weaver recorded in Deed Book 57, page 176, also deed from George W. Weaver to J.G. Adams recorded in Deed Book 56 Page 270, also mortgage from J.G. Adams to Isbell National Bank recorded in Mortgage Book 113, page 455, also deed from H.B. Lane to R.A. Lane recorded in Deed Book 53, Page 130; all of which deeds and mortgages are recorded in the Probate Office of Shelby County, Alabama. The property covered by said deeds and mortgages is the lot known as the post office lot. I formerly owned the same and know it is the same lot as the one referred to as the small lot in the mortgage from W.T. Taylor, Jr. and others to Southern Cotton Oil Company recorded in Mortgage Book 155, page 351, which mortgage I have already mentioned in this affidavit. This post office lot adjoins and lies southwest of the Kimbrough Brothers brick store building lot. I understand that in some of the conveyances mentioned above, the post office lot is described as extending back 105 feet and in others as extending back 90 feet. I done't recall the details as to this, but I do know that the post office lot does not encroach upon the land now owned by H.M. Morris.

I am also familiar with that certain deed from J.G. Adams to myself dated March 1, 1917, and recorded in Deed Book 60, Page 530 in said Probate Office. The property covered in said deedwas the post office lot, which I have already mentioned and the gin lot which is the same as that covered in the mortgage from W.T. Taylor and others to Southern Cotton Oil Company recorded in Mortgage Book 155 Page 351, in the Probate Office of Shelby Coumty, Alabama. I known of my own knowmedge that neither of said lots encroach upon the lot now owned by H.M. Morris, as described in the beginning of this affidavit.

T.M. Spruell

Sworn to and subscribed to by T.M. Spruell before me this 15 day of August, 1949.

Mrs. J.W. Donahoo, Notary Public, Filed in the office of the Judge of Probate on the 31st day of Oct. 1949, at 10 A.M. and recorded in Deed record 139, page 443, on this the 25th day of Nov. 1949.

L.C. Walker,

Judge of Probate.

STATE OF ALABAMA SHELBY COUNTY 1 hereby canific that

WW Printega Tax has been paid on the vithin instrument as required by law.

L. C. WALKER, JUDGE OF PROBATE