

STATE OF ALABAMA

SHELBY COUNTY

Before me, Mary L. Mahaffey, the undersigned authority in and for said County in said State personally appeared W. P. McConaughy, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is W. P. McConaughy. I am 83 years of age and have lived in Montevallo, Alabama, all of my life, except for 1½ years when I lived in Birmingham around the year 1910, but was in and around Montevallo at that time. I can clearly remember back to the time I was 10 years old. Affiant further says that he has all along been familiar with the following described lot, being the Ida Lister Davis lot, and the persons who have been in possession of the same throughout all the years. Said lot being described as follows:

Commence at the point of intersection of the west line of Block Street with the north line of Main (or Broad) Street, run thence southwest along the north line of Main Street 96 feet to the point of beginning of the lot herein described; from said point of beginning, continue southwest along the north line of Main Street 96 feet; run thence northwesterly and parallel with Block Street 150 feet; thence run northeasterly and parallel with Main Street 96 feet; thence run southeasterly and parallel with Block Street 150 feet to the point of beginning; being situated in Montevallo, Shelby County, Alabama.

Affiant further says that when he first remembers said lot, it was a part of the property owned by E. F. Vest, being one and the same person as Edward F. Vest, and that the said E. F. Vest owned Lots 3, 4, 5, 6 and 7 according to Edmond King's Survey of the Town of Montevallo, which said lots comprised approximately three-fourths of the block of land enclosed on the northwesterly side of Valley Street, on the northeasterly side of Block Street, on the southeasterly side by Main or Broad Street and on the southwesterly side by North Boundary Street. Affiant further says that the land owned by the said E. F. Vest comprised the northeasterly portion of said block and a fence divided the land owned by E. F. Vest and other parties. The said E. F. Vest had a blacksmith shop near the eastmost corner of said block and his barn was near the lower end or southmost part of the block and his residence faced Valley Street and was situated toward the northeastern part of said block. All of said land owned by E. F. Vest throughout all the years was enclosed by a fence. Affiant further says that from the time he can first remember said land, when he was approximately 10 years old, E. F. Vest lived in the dwelling house and ran the blacksmith shop and kept his stock in the barn and cultivated parts of the land each and every year until he was elected Sheriff of Shelby County sometime after 1900. Then he and his family moved to Columbiana and lived there until his death

in the year 1909. After which, his widow and children removed to Montevallo and reoccupied said land owned by E. F. Vest at the time of his death. During the time he lived in Columbiana, he rented out portions of said land to tenants. After the death of E. F. Vest, his widow and some of his children continued to live on the property until it was sold to T. F. Vest and Sam J. Vest in the year 1913 by the Administrator of the Estate of E. F. Vest, deceased. Sam J. Vest continued to live on said premises with his mother for several years and he and T. F. Vest continued to occupy or rent it out until they sold the same to L.N. Nabors and George R. Moore on February 2, 1920, as shown by deed recorded in Deed Book 69 Page 239 in the Probate Office of Shelby County, Alabama. Affiant is informed that L. N. Nabors and Goerge R. Moore owned and occupied the same for a short time until they sold the same to J. I. Reid on November 23, 1920, as shown by deed recorded in Deed Book 69 Page 282 in said Probate Office. The said J. I. Reid built a house fronting on Main Street about the center of the block. The said J. I. Reid moved into said house soon after it was completed and used it as an office and was occupying it, along with the above described property which he sold to H. T. Davis on April 9, 1926, as shown by deed recorded in Deed Book 79 Page 106 in said Probate Office. In fact, J. I. Reid rented said H. T. Davis house out to tenants prior to the time he sold it to H. T. Davis. The said H. T. Davis moved into the dwelling house situated on the above described lot of land immediately after he purchased the same and lived there continuously until he conveyed the same to Ida I. Davis, being one and the same person as Ida Lister Davis, on April 9, 1936, as shown by deed recorded in Deed Book 99 Page 412 in said Probate Office. The said H. T. Davis and his wife continued to live in said dwelling house continuously until H. T. Davis' death in December 1951. After which, the said Ida Lister Davis continued to live in said dwelling house continuously until her death on July 22, 1953. After which, her estate has continued to own and be in possession of it continuously until this very day.

Affiant further says that throughout all the years he has known said property that he has never heard of anyone disputing the title or contesting the possession of Ida Lister Davis or the persons through whom she claimed.

Affiant further says that he is familiar with the following described property which is now owned by E. R. Davis and Ruby Davis and which property is described as follows:

Beginning at the southwest intersection of Block and Valley Streets as a point of reference, thence run southerly along the margin of Valley Street 180 feet, more or less, to the former C. O. Wooley lot for point of beginning of the lot herein described; thence easterly and perpendicular to Valley Street 150 feet; thence northerly and parallel to Valley Street 94 feet; thence westerly and perpendicular to Valley Street 150 feet; thence southerly along the margin of Valley Street 94 feet to point of beginning; being situated in Montevallo, Shelby County, Alabama.

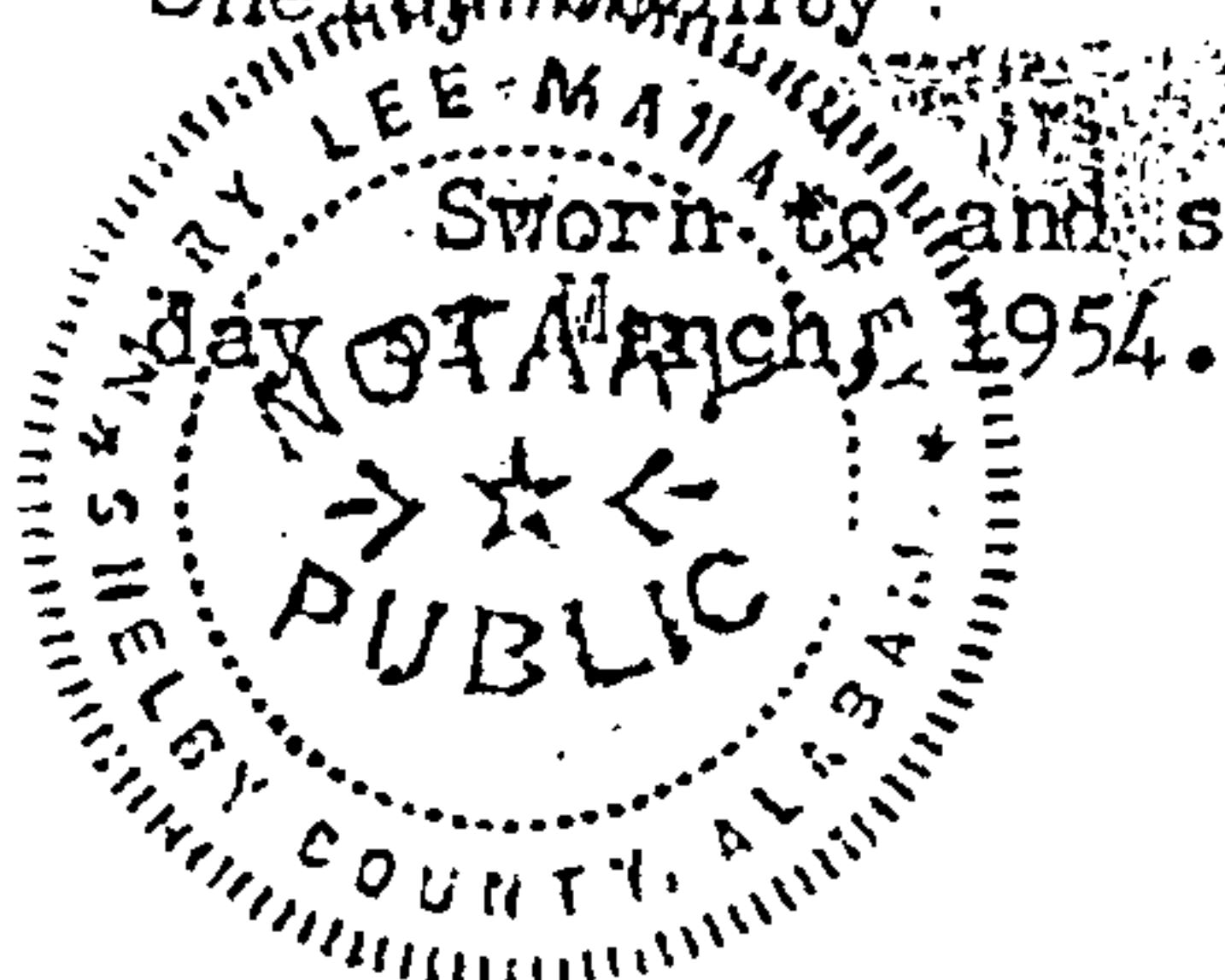
Affiant further says that the above described property now owned by E. R. Davis and Ruby Davis was a part of the E. F. Vest property and that all the matters and things which he has said above in this affidavit as applying to said E. F. Vest property down to the time it was purchased by the said J. I. Reid are equally true of said lot now belonging to the said E. R. Davis and Ruby Davis.

Affiant further says that the said J. I. Reid rented said lot continuously until he sold the same to J. L. Gresky. The said J. L. Gresky, being one and the same person as John Gresky, went into immediate possession of said property and lived on it or rented it out to tenants until he conveyed the same to Luda Gresky, his wife, on August 8, 1944, as shown by deed recorded in Deed Book 119 Page 600 in said Probate Office. She continued in possession of the same and lived on it or rented it out to tenants until she sold the same to E. R. Davis and Ruby Davis on March 24, 1945, as shown by deed recorded in Deed Book 120 Page 353 in said Probate Office. The said E. R. Davis and Ruby Davis went into immediate possession of said lot and have lived on it and occupied it continuously as their home until this very day.

Affiant further says that throughout all the years he has known said lot now owned by E. R. Davis and Ruby Davis that he has never heard of anyone disputing the title or contesting the possession of the said E. R. Davis and Ruby Davis or the persons through whom they claim.

W. P. McCaughy
W. P. McCaughy

State of Alabama
Shelby County



Sworn to and subscribed to by W. P. McCaughy before me this the 8th day of March, 1954.

Mary Lee Mahaffey
Notary Public

Filed in the office of the Probate Judge on the 16 day of Mar 1954 at 2 o'clock
P. M. and recorded in Deed Book 165 Page 262 this 18 day of Mar 1954.
Deed Tax _____ Mortgage Tax _____ has been paid.
L.C. Walker, Judge of Probate