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STATE OF ALABAMA)

SHELBY COUNTY)

Before me, the undersigned authority, in and for said County and State, personally appeared John Stephens, who, being known to me, and being by me first duly sworn according to law deposes and says as follows:

My name is John Stephens. I am 41 years of age and have been a resident citizen of Montevallo, Alabama, for the last past 29 years.

J. M. Stephens, Sr. was my father. I am acquainted with the land bought by my father from Charlie Trucks and others on August 18, 1928 which deed is recorded in the Probate Office of Shelby County, Alabama in Deed Book 87, at page 125, describing land as follows:

The $N\frac{1}{2}$ of $SW\frac{1}{4}$ of $NE\frac{1}{4}$ of Section 21, Township 22, Range 3 West, except 8 acres off of the south side thereof, heretofore conveyed to W. H. Mitchell, and except a strip 25 feet in width off the North side thereof, heretofore sold and conveyed to L. N. Nabors, the said strip extending from the west line to the east line of said $N\frac{1}{2}$ of $SW\frac{1}{4}$ of $NE\frac{1}{4}$, of Section 21, all in Shelby County, Alabama.

My father, J. M. Stephens, Sr. built a home on the above described property and this is the home which Mr. Vic Williams lived in some time later. The house was built by my father in about 1932 or 1933. My father also established a pecan grove on both the north side of the house and on the south side of the house and the property line on the west side was understood to be what is now the Montevallo-Siluria paved road. In fact, there was a fence along this road years ago along the east side of the same north of the house and there was a rock wall extending along the property line south of the house and along the east side of the road. There was also a row of pecan trees between the present property line and the road which was my father's. I remember when the road was widened that we had to tear down our fence on the north side and move it some distance to the east and also tear down the rock wall which was on the south of the house and cut down a row of pecan trees.

My family and I lived in the house and my father claimed ownership of all the above described property continuously from the date of its purchase up to and including the date that he sold the same on September 10, 1946 to Owen F. Wise and Louise Jones Wise. This deed is recorded in the Probate Office of Shelby County, Alabama in Deed Book 126, page 558. Upon the execution and delivery

of this deed to Owen F. Wise and Louise Jones Wise, they took possession of the property and remained on the same continuously until they sold the land to V. E. Williams and Virginia M. Williams on August 14, 1948, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 142, at page 362.

Upon the execution and delivery of the last mentioned deed Mr. Williams and his wife proceeded to occupy the property and lived in the house which My father built continuously until he sold ^{part of} the land to E. G. Smitherman, Sr. and his wife, Sayde on June 5, 1958, which deed is recorded in the Probate Office of Shelby County, Alabama in Deed Book 193, page 369.

From the time that my father bought the land the above named parties have occupied said land, exclusively, notoriously, hostilely, adversely, openly, actually and continuously, up to and including the date of the making of this affidavit, and have never heard their title questioned in any way. I further know that it is generally considered in the community that the East line of the Siluria-Montevallo paved highway is the west line of the above described property.

Witness my hand this 4 day of Sept, 1958.

John M. Stephens Jr.

Sworn to and subscribed before me
this 4 day of Sept, 1958.

Walter C. Currence
Notary Public

State of Alabama, Shelby County

I, L. C. Walker, Judge of Probate hereby certify that the within affidavit was filed in this office for record the 16
day of September, 1958 at 2 o'clock P.M. and recorded in Deed Record 195 Page 350 & examined 4-12-58
and the Mortgage Tax of \$ 1.50 Deed Tax of \$ 1.50 has been paid.
Eee \$ 1.50 1.50 Judge of Probate