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STATE OF ALABAMA

SHELBY COUNTY

Before me, Martha B. Jones, the undersigned authority in and for said County, in said State, personally appeared W. J. Bailey, who, after being by me first duly sworn to speak the truth deposes and says:

My name is W. J. Bailey. I own certain land in the SE $\frac{1}{4}$ of Section 10, Township 22, Range 3 West, Shelby County, Alabama, which land lies southeast of Montevallo-Ashville paved road. I am familiar with the John Rucker farm which adjoins my said property and have been familiar with the Rucker farm for 35 years. In fact, I knew this farm when it was owned by persons prior to the time Mr. Rucker purchased it. Affiant further says he is familiar with that certain dam site referred to in that certain deed from J. M. Bearden and wife to R. A. Berry dated October, 1910, and recorded in Deed Book 47 page 317 in the Probate Office of Shelby County, Alabama, which dam site is commonly known as Killough Mill Dam. Affiant says he is also familiar with the tract of land John Rucker proposes to sell to John M. Stephens and Marvolin Moore Stephens, which tract is situated in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 10 and also in the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 15, all in Township 22, Range 3 West, which said Stephens tract is more particularly described in a survey made by Floyd Atkinson on May 8, 1959. Affiant further says he knows of his own knowledge that said dam site is more than one quarter of a mile north of the northmost portion of said Stephens land; in fact, the dam site is located roughly 100 feet north of the old Killough Mill road. Affiant further says there is no dam located on said site and there has not been one since he has known said property.

Affiant further says he is familiar with the location of the Alabama Power Company Transmission Line as granted under a permit by J. P. Thomas in 1939, as shown by deed recorded in Deed Book 107 page 218 in said Probate Office. Affiant further says said line ran along the southeasterly side of Montevallo-Ashville road as the same is now located and does not in anyway affect the tract of land to be sold to Mr. & Mrs. Stephens.

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Affiant further says he is familiar with the property referred to in that certain deed from Jack M. Bearden and wife to Lula F. Richards in 1944, as shown by deed recorded in Deed Book 119 page 381 in said Probate Office, and affiant says he knows the property referred to lies north of Killough Mill dam site referred to in the beginning of this affidavit and the property described in said deed in no way affects the property proposed to be conveyed to Mr. & Mrs. Stephens.

W. J. Bailey
W. J. Bailey

Sworn to and subscribed to before me

this the 6th day of July, 1959.

Martha B. Jones
Notary Public

STATE OF ALABAMA }
SHELBY COUNTY }

I, Conrad M. Fowler, Judge of Probate hereby certify that the within affidavit was filed in this office for record the 26 day of Feb 1960 at 8 o'clock A.M. and recorded in deed Record 287 page 614 and examined 3-2-60 and the Mortgage Tax of \$ Deed Tax of \$ has been paid.

Conrad M. Fowler
Judge of Probate

Fee \$ 1.20

STATE OF ALABAMA, SHELBY COUNTY

I, Conrad M. Fowler, Judge of Probate, hereby certify that the within affidavit was filed for record in this office on the 26 day of Feb 1960 at 800 M. o'clock and recorded in deed Book 207 at page 614 on the 3 day of Mar 1960. Mortgage Tax Deed Tax has been paid.

Conrad M. Fowler
Judge of Probate