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STATE OF ALABAMA

SHELBY COUNTY

Before me, R. C. HENDERSON, the undersigned authority in and for said County in said State, personally appeared L. E. Shaw, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is L. E. Shaw. I am 68 years of age and have lived in Montevallo, Alabama, for the past 68 years and have been well acquainted with the hereinafter described land and the persons in possession of it. Said land being described as follows:

Commence at the southwest corner of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 3 Township 24 North, Range 12 East and run south, 88 deg. 34 min. East along the south line of said quarter quarter section, a distance of 349.32 feet to the point of beginning; thence run north, 8 deg. 53 min. west a distance of 296.0 feet to a point on the south right of way line of Ala. Highway 25; thence run north, 72 deg. 39 min. east along the south right of way line of Ala. Highway 25 a distance of 272.70 feet; thence run south, 18 deg. 19 min. East a distance of 295.32 feet; thence run south, 72 deg. 51 min. West a distance of 238.62 feet; thence run south, 74 deg. 20 min. West a distance of 83 feet to the point of beginning; being situated in the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 3, Township 24 North, Range 12 East, Shelby County, Alabama.

Affiant says that he recalls John T. Ellis owned the above described tract of land, along with other lands, and he made a subdivision of the same, which is known as "Plat of Ellis' Addition to East Montevallo, Alabama", which subdivision was dated in 1914 and was recorded in the Probate Office of Shelby County, Alabama. There has been called to affiant's attention a mortgage made July 2, 1912, from A. C. Scott and E. J. Scott to John T. Ellis recorded in Mortgage Book 92 page 363 in said Probate Office. Affiant says he has never heard of A.C. or E. J. Scott owning or claiming to own any portion of said land. Affiant further says it would appear to him that the Scotts bargained to purchase said land described in said mortgage but never consummated said sale.

There has been called to affiant's attention that there is a deed on record from Pleasant Shaw, Sr. and wife Ella Shaw to Floyd Miles dated August 6, 1931, and recorded in Deed Book 84 page 393 in said Probate Office and which covers Block C in Ellis Addition to East Montevallo. Affiant says he knows of his own knowledge this was an error in description and the property conveyed to Floyd Miles lay south of Block C in said subdivision. Affiant further says he knew W. W. Spooner and his wife Azelee Spooner, and knows that W. W. Spooner is now dead and left surviving him, his widow, Azelee Spooner, who later married and is still married to Irby Poole. Affiant further says W. W. Spooner and his wife Azelee Spooner had 3 children, namely: Robert Spooner, whose <sup>wife</sup> ~~was~~ is Frances Spooner; Evelyn Spooner Shadrack, whose

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husband is Raymond Shadrick; and Everette Lee Spooner, who never married.

Affiant further says that Everette Lee Spooner burned to death several years ago without having married and did not leave a Will and his sole and surviving heirs at law were his mother, Azelee Spooner Poole, his sister, Evelyn Spooner Shadrick and his brother, Robert Spooner.

Affiant further says it is his understanding that Davis Street shown on said subdivision was sometimes known as Coosa Allen Street. Affiant does not know the technical details of it, but it is his understanding that Alabama Highway No. 25 roughly runs along what is shown as Coosa Street on said subdivision.

Affiant further says he has known said property throughout all the years when it was first owned by John T. Ellis and that the said John T. Ellis owned said land, along with other lands and was in the possession of the same as the owner thereof until he sold Block C, which includes the above described land, to John Stoudemire in 1919, as shown by deed recorded in Deed Book 70 page 77 in said Probate Office. John Stoudemire went into immediate possession of said Block C and either cultivated it or rented it out each and every year until he sold it to P. C. Wilson in December 1925. Affiant further says P. C. Wilson went into immediate possession of said land and owned it for only a short time and sold the same to W. W. Spooner in March of 1926, as shown by deed recorded in Deed Book 79 page 68 in said Probate Office. Affiant further says W. W. Spooner went into possession of said Block C as the owner thereof and occupied the same. Affiant further says W. W. Spooner conveyed his interest in said land to Everette Lee Spooner and Azelee Spooner on December 12, 1932, and said persons were in the actual possession of said land as the owners thereof until Everette Lee Spooner's death. After which, Azelee Spooner Poole and Robert Spooner conveyed their interest in the same to Evelyn Spooner Shadrick on May 8, 1941, as shown by deed recorded in Deed Book 110 page 242 in said Probate Office. The said Evelyn Spooner Shadrick took full possession of said property and paid taxes thereon and continued in the actual possession of the same until she conveyed it to M. C. Lovelady on December 23, 1946, as shown by deed recorded in Deed Book 125 page 504 in said Probate Office. The said M. C. Lovelady went into immediate possession of said land and owned it until he sold the same to John W. and Geraldine Lovelady on April 1, 1955. The said John W. Lovelady and Geraldine Lovelady went into immediate possession

OF said land, claiming to own the same and they have occupied it continuously until this very day.

Affiant further says he has never heard of anyone contesting the title or disputing the possession of John W. Lovelady and Geraldine LoveBady or their predecessors in title.

L. E. Shaw  
L. E. Shaw

Sworn to and subscribed to before me this 16<sup>th</sup> day of March, 1960.

L. E. Shaw  
Notary Public

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 Sept 1960 at 8 M. o'clock and recorded in deed Book 211 at page 222 on the 27 day of Sept.  
Mortgage Tax \_\_\_\_\_ Deed Tax \_\_\_\_\_ has been paid.

Conrad M. Fowler  
Judge of Probate

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