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STATE OF ALABAMA
SHELBY COUNTY

Before me, *W. D. Hughes*, the undersigned authority
in and for said County in said State, personally appeared E. R. Elliott, who,
after being by me first duly sworn to speak the truth, deposes and says:

My name is E. R. Elliott. I am 48 years of age and have lived in and
around Westover, Alabama, all of my life and have all along been well acquainted
with the property in that area and the persons in possession of it. My wife and
I own the following described land:

PARCEL A

Commence at the northeast corner of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 27, Township
19, Range 1 East and run thence south along the east line of said forty
acres 310 feet to the southeast corner of F. C. Elliott lot to the
point of beginning of the tract herein conveyed; thence west along the
south line of said Elliott lot 100 feet to the east line of L.B. Green
lot; thence south along the east line of said Green lot 60 feet to a
point; thence west and parallel with the Florida Short Route run 633
feet, more or less, to the northeast corner of the W.S. and Lessie
Elliott lot; thence along said east line of said Elliott lot run south
210 feet; thence along the south line of said Elliott lot run west 210
feet to the southeast corner of Revie Kay lot, said point being the
center of a branch; thence along the center of said branch and the
meanderings of same run in a southeasterly direction 954 feet, more or
less, to the east line of said forty acres; thence north 562 feet more
or less, to the point of beginning.

PARCEL B

Beginning at an iron stob in the center of a branch, said point marking the
eastmost corner of Hoyt Lybrand lot and run south along the east line of
said Lybrand lot 110 feet to an iron stob marking the corner of the Hubert
and Jean Lybrand lot; thence south 53 deg. 20 min. east 280.1 feet to an
iron stob; thence north 36 deg. east 163 feet to the center of said branch;
thence along the center of the meanderings of same in a northwesterly
direction 283 feet to the point of beginning.

All being situated in Shelby County, Alabama.

There has been called to affiant's attention a deed from G. M. Edwards and wife to
C. H. Green dated December, 1906, recorded in Deed Book 59 page 551 in the Probate
Office of Shelby County, Alabama, covering NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 27, Township 19,
Range 1 East, except 5 acres off the northwest corner and another 5 acres off the
north side of said forty. Affiant says the last mentioned 5 acres is known as the
Phillips tract and the same adjoins the 5 acres off the west side of said forty
and extends east to the east line of said forty acres. Affiant says since he can
remember, there has been a fence dividing the land which affiant now owns and the
Phillips tract which is now owned by other persons.

There has been called to affiant's attention a deed from J. W. Lybrand
and wife to John P. and Ella Lybrand dated January 1941 and recorded in Deed Book 110
page 427 in said Probate Office. Affiant says he is familiar with the first tract
of land described in said deed and, in fact, it is/a portion of the same as "Parcel A" above.

One line in said deed reads as follows: "running south 420 feet". This should be "running south 282 feet, more or less, to a stob on the west side of a branch". Affiant further says the line described as running in a "southeastern direction along said ditch 954 feet" should actually run to the east line of said forty acres and that said line runs along the center of the meanderings of said ditch.

Affiant further says that the land described in that certain deed from Erphy M. Lybrand to Hubert and Wilma Jean Lybrand recorded in Deed Book 168 page 457 in said Probate Office lies south of the branch mentioned above and the center line of the branch is the line of said lot, except for one acre lying south of the branch which affiant owns and is described as Parcel B above and it lies immediately east of a lot owned by Hoyt Lybrand.

Affiant further says the land which he and his wife intended to purchase from Hubert Lybrand and wife on January 31, 1959, and which land affiant and his wife went into possession of and have claimed to own continuously since said date is described in detail as Parcel A and Parcel B above. Affiant further says that the southerly line of Parcel "A" is marked by a branch and the east line by the east line of said forty acres and the north line by a fence and the west line by iron stobs. Affiant says the boundaries of Parcel "B" are marked by a branch on the north and the remainder of said boundaries are marked by iron stobs and there is no dispute in connection with any of said lines.

Sworn to and subscribed to before me
this the 26th day of May, 1961.

W. D. Hughes
Notary Public

E. R. Elliott
E. R. Elliott

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 5/27/61
6-30 1961
RECORDED & ✓ MTG. TAX
& ✓ USED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

Conrad W. Fowler
JUDGE OF PROBATE