

2689

STATE OF ALABAMA)

A F F I D A V I T

JEFFERSON COUNTY)

Personally appeared before me, the undersigned authority in and for said State and County, Robert D. Johnson and wife, Evelyn Johnson, who being by me first duly sworn, depose and say on oath:

That your affiants are familiar with the following described real estate, situated in Shelby County, Alabama, and have been familiar with said real estate at all times since 1946:

From the Northwest corner of Section 19, Township 18 South, Range 2 East, run Easterly along the North boundary line of Section 19, Township 18 South, Range 2 East, for 3159.31 feet to the point of beginning of the land herein described and conveyed; thence continue Easterly along the North boundary line of Section 19, Township 18 South, Range 2 East for 1239.62 feet; thence turn an angle of 88 Degrees, 05 Minutes, 20 Seconds to the right and run Southerly 661.1 feet; thence turn an angle of 88 Degrees, 14 Minutes, 35 Seconds to the left and run Easterly 158.97 feet, more or less, to a point on the center line of the Sterretts - Kelly's Creek County Road; thence turn an angle of 117 Degrees, 11 Minutes, 40 Seconds to the right and run Southwesterly along the center line of said Road 103.65 feet; thence turn an angle of 02 Degrees, 58 Minutes to the left and continue along the center line of said Road 253.70 feet; thence turn an angle of 04 Degrees, 51 Minutes, 20 Seconds to the right and continue Southwesterly along the center line of said Road 111.0 feet; thence turn an angle of 06 Degrees, 19 Minutes to the right and continue along the center line of said Road 100.28 feet; thence turn an angle of 03 Degrees, 21 Minutes, 40 Seconds to the right and continue along the center line of said Road 99.2 feet; thence turn an angle of 03 Degrees, 05 Minutes to the right and continue along the center line of said Road 99.42 feet; thence turn an angle of 02 Degrees, 50 Minutes, 40 Seconds to the right and continue along the center line of said Road 341.05 feet; thence turn an angle of 06 Degrees, 39 Minutes to the left and continue along the center line of said Road 95.9 feet; thence turn an angle of 07 Degrees, 30 minutes to the left and continue Southwesterly along the center line of said Road 129.45 feet; thence turn an angle of 148 Degrees, 06 Minutes, 40 Seconds to the right and run Northerly 415.3 feet; thence turn an angle of 88 Degrees, 43 Minutes, 30 Seconds to the left and run Westerly 629.84 feet; thence turn an angle of 89 Degrees, 05 Minutes, 15 Seconds to the right and run Northerly 1332.74 feet, more or less to the point of beginning. Excepting, however, any portion of subject property located in the W $\frac{1}{2}$  of the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  and the N $\frac{1}{2}$  of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 19, Township 18 South, Range 2 East; this land being a part of the NE $\frac{1}{4}$  of Section 19, Township 18 South, Range 2 East, and being 36 acres, more or less.

Your affiants recall when James Elmer Falkner purchased the said real estate from Frank B. Munroe in March of 1946. The said James Elmer Falkner was in actual peaceful possession of said real estate at all times from the date he purchased same until he sold same.

Your affiant, Robert D. Johnson, and his brother, James A. Johnson,

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purchased the said real estate from Marcus Hancock and wife, Joy Hinson Hancock, by warranty deed dated May 11, 1951. Your affiant, Robert D. Johnson, and his brother were in actual peaceful possession of said real estate at all times from May 11, 1951, until on or about January 3, 1959, at which time James A. Johnson and wife, Irene Johnson, conveyed the said real estate to your affiants, Robert D. Johnson and wife, Evelyn Johnson. Your affiants have been in actual peaceful possession of said real estate at all times since January 3, 1959. Your affiants and James A. Johnson have paid the ad valorem taxes on said real estate at all times since the year 1951. As a matter of fact, your affiants paid the ad valorem taxes on the real estate for the year 1961. The said real estate has at all times since 1951 been assessed in the names of your affiants and James A. Johnson. Since 1959, the said real estate has been assessed in the names of your affiants.

At all times since May 11, 1951, your affiants and James A. Johnson have been in exclusive possession of said real estate, and no one has made any claim of any kind or character to your affiants.

Your affiants know of their own knowledge that no part of the said real estate has even been the homestead of James A. Johnson.

This affidavit is made for the purpose of inducing Walter McGaha, Jr. to purchase the said real estate for the sum of \$2,700.00; and also, to induce Title Insurance Corporation of St. Louis to issue its owners insurance policy covering the hereinabove described real estate in the amount of \$2,700.00.

Robert D. Johnson  
Robert D. Johnson

Evelyn Johnson  
Evelyn Johnson

Sworn to and subscribed before me  
this 3rd day of March, 1962.

Amelia Corsetti  
Notary Public

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON 8/1/62  
26 1962  
RECORDED & \$ MTG. TAX  
& \$ DEED TAX HAS BEEN  
PD. ON THIS INSTRUMENT.

Conrad M. Fowler  
JUDGE OF PROBATE