

STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Floyd Atkinson, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is Floyd Atkinson. I am a registered Land Surveyor. I surveyed the property owned by Guy L. Chamberlin in Montevallo, Alabama, which was recently sold to M. S. McGehee. One of the lots sold adjoined the property which Mr. Chamberlin proposes to sell to J. P. Kelly. along two lines. One of said lines is along the southwesterly line of Moody Street and a projection thereof and another is along a line which runs 39.5 feet in a northerly direction along the southwesterly line of Moody Street to the center thereof. When I surveyed the McGehee lot, I surveyed these lines by going in one direction and turning an angle and then going in another direction. In describing the lot to be sold to Kelly, I have described it by bearings. I know there is no conflict of said lines on the ground.

I am familiar with the bearings along the easterly line of said Chamberlin lot being sold to Kelly which are described as North 19 deg. 25 min. West 245.0 feet and North 7 deg. 30 min. West 282.8 feet. There is an old fence along said lines and I would say the same is at least 25 years old and indicates that the adjoining land owners have occupied the property up to said fence line and it appears to be accepted as the boundary line between the parties bordering the same.

There has been called to my attention a deed to Lewis E. and Helen S. Kirkland dated October, 1958, and recorded in Deed Book 196 page 323 in said Probate Office. Said deed described their land as running up to the Chamberlin line and then running along the same and there is no conflict; however, there are some slight differences in the distances used in said deed and the ones used by me mentioned above, but I know the line is one and the same.

With reference to lots 1, 2 and 3 of the Map of Wooley Heights in Montevallo, I know that the description I used is correct and the east line of said lots are marked by a new wire fence and it appears to have been located at the same location of an old fence. The west line of said lots border on King's Highway and are marked by the same. As I show on my map, Lot 1 overlaps on the Chamberlin property some few feet, so actually the west line of Lot 1 extends north from the north line of said 40 acres 23.03 feet and the east line extends north 21.20 feet, but this causes no conflict, as I understand Mr. Kelly proposes to buy all of it.

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It is my recollection Mr. Chamberlin built their house about the year 1924. I was on the premises at that time and it is my opinion, the garage and servant quarters and stable located on Lots 1, 2 and 3, along with the yards, are substantially the same age as the dwelling house.

Floyd Atkinson  
Floyd Atkinson

Sworn to and subscribed to before me

this the 11<sup>th</sup> day of March, 1964.

Catherine B. Smitherman  
Notary Public

STATE OF ALA, SHELBY CO.  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON 3/22

1964

RECORDED & \$..... TAX

& \$..... DEED TAX

PD. ON THIS INSTRUMENT.

Conrad H. Dinkins  
JUDGE OF PROBATE