

STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned authority in and for said County of SHELBY, State, personally appeared John A. Hines, Jr., who, after being by me first duly sworn to speak the truth, deposes and says:

My name is John A. Hines, Jr. I am 37 years of age and have lived in Alabaster and the surrounding area for the past 37 years. I am familiar with the land now owned by Frances Merritt and which is described as follows:

The NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 1, Township 21 South, Range 3 West;

Also A part of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 1, Township 21 South, Range 3 West, more particularly described as follows: Begin at NW corner of said forty and run south 138 yards; thence east parallel with north line of said forty to a point which is 70 yards west of east line of said forty; thence north 70 yards; thence east 70 yards to east line of said forty; thence north along east line 113 yards to NE corner of said forty; thence west to point of beginning;

Also part of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 1, Township 21 South, Range 3 West, described as follows: Commence at northwest corner of said forty and run south along west line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section 564 feet to point of beginning; thence turn angle of 87 deg. 59 min. to left and run 974.59 feet; thence turn angle of 113 deg. 26 min. to right and run 255.98 feet; thence turn angle of 66 deg. 30 min. to right and run a distance of 864.60 feet to west line of said forty; thence turn an angle of 88 deg. 03 min. to right and run along $\frac{1}{4}$ - $\frac{1}{4}$ Section line a distance of 235 feet to point of beginning;

Being situated in Shelby County, Alabama.

I have read an affidavit made by Neal McNeil on January 27, 1962, recorded in Deed Book 221 page 700 in the Probate Office of Shelby County, Alabama. Said affidavit states that "the Primitive Baptist Church is still in possession of approximately one acre of land out of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 1 and it lies north of the old Settlement Road and adjoins the west line of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 1." Affiant says there is no deed on record to the Church covering any property in said forty acres. Affiant says he understands the Church at one time had a building on the John Floyd 2 acre tract of land which is more particularly described in a deed dated February 23, 1905 and recorded in Deed Book 35 page 433 in said Probate Office. Affiant says all of said two acre tract heretofore known as the John Floyd 2 acres is now in the possession of Frances Merritt, as the widow of James Merritt and that there is a fence enclosing the same which appears to have been there for a long time. Affiant further says he knows in his lifetime that said church has never been in possession of a one acre tract of land north of said Settlement Road which is mentioned in said affidavit.

John A. Hines, Jr.

Sworn to and subscribed to before me on this

the 20th day of October, 1965.

Martina E. Janner
Notary Public