

STATE OF ALABAMA

SHELBY COUNTY

Before me, a Notary Public in and for said County and State, personally appeared Roy Partridge, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is Roy Partridge. I am 50 years of age and reside at Route 1, Sterrett, Shelby County, Alabama

In January of this year, 1967, I made an affidavit concerning property of Emily E. White, said property having been a part of the original "Dyke Place", said affidavit having been recorded in Deed Book 246 at page 524-526, Office of Judge of Probate of Shelby County, Alabama.

Referring to that portion of said property described in said affidavit recorded in Deed Book 246 at pages 524-526 which lies in Shelby County, Alabama, the old Pumpkin Swamp Road runs through said property and is the Eastern property line of said property owned by Emily E. White or her successors in title, it being my understanding that said Emily E. White has recently conveyed said property, that portion of said property lying East of said Old Pumpkin Swamp Road having been heretofore conveyed to my wife and I in September, 1963, as shown by deed recorded in Deed Book 217 at page 330, Office of Judge of Probate of Shelby County, Alabama. The old Pumpkin Swamp Road, now paved, is the property line between said White property and my property. Shelby County Highway No 55 is a paved highway in Shelby County, Alabama, which was paved about seven years ago and which runs generally in the same place as the Old Pumpkin Swamp Road ran. Referring to that portion of the property described in said affidavit recorded in Deed Book 246 at pages 524-526, and which lies in Shelby County, Alabama, the Old Pumpkin Swamp Road ran generally in a northerly-southerly direction and was and is the eastern boundary line of said property. Said Old Pumpkin Swamp Road/continued on originally in a northerly direction in St. Clair County to Kelly Creek, where it crossed said Kelly Creek approximately a quarter of a mile ( or less) from the line between Shelby and St. Clair Counties. The old bridge which crossed said Kelly Creek has been out for a number of years now, and said Old Pumpkin Swamp Road "stops" at Kelly Creek.

Said Shelby County Highway #55 branches off in an easterly direction from Old Pumpkin Swamp Road approximately 500 or 600 feet south from the line

between Shelby and St. Clair counties, making a fork with said Old Pumpkin Swamp Road. Said Old Pumpkin Swamp Road was also paved all the way in a northerly direction to the line between Shelby and St. Clair counties, that is the five or six hundred feet of said Old Pumpkin Swamp Road between the point where Shelby County Highway No. 55 forks in an easterly direction and the boundary line between Shelby and St. Clair counties is also paved. Said Old Pumpkin Swamp Road lies entirely within the right of way of Shelby County Highway No. 55 as it bounds and marks the eastern boundary line of the said property described in said affidavit in Deed Book 246, pages 524-526, and to the point where said Shelby County Highway No. 55 forks in an easterly direction from said Old Pumpkin Swamp Road, and, from the point of said forks, in a northerly direction to the line between Shelby and St. Clair counties, said Old Pumpkin Swamp Road, now paved, was paved in the same place or location that said Old Pumpkin Swamp Road lay before it was paved.

Referring again to that portion of said property described in Deed Book 246 at pages 524-526 which lies in Shelby County, Alabama, there is no cementary, or any part thereof, which lies to the West of the Old Pumpkin Swamp Road. There is a cementary which lies to the East of said Old Pumpkin Swamp Road in the NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 4, Township 18 South, Range 2 East.

I have been informed that Deed Book 204 at page 158, Office of Judge of Probate of Shelby County, Alabama, shows a conveyance from J. C. Howard and wife, Ola Howard to George Partridge and wife, Martha Sue Partridge dated September 9, 1959, and conveying one acre, more or less, the property description contained in said deed being indefinite or unclear. Said property is actually located a quarter of a mile, more or less, to the South of the property described in the affidavit recorded in deed book 246 at pages 524-526. Said George Partridge and wife, Martha Sue Partridge, have never owned, claimed, nor possessed any part of said "Dyke Place" as described in Deed Book 246 at pages 524-526.

I have also been informed that Mortgage Book 288 at page 160, Office of Judge of Probate of Shelby County, Alabama shows a mortgage for approximately one acre from O. J. Shaw and wife, Annie Ruth Shaw, the property description contained in said mortgage being indefinite or unclear. Said O. J. and Annie Ruth Shaw property is actually situated approximately one quarter of a mile South of said Dyke Place as described and designated in said affidavit recorded in Deed Book 246 at pages 524-526, said O. J. Shaw and wife, Annie Ruth Shaw, never having claimed, occupied, or possessed any part of said "Dyke Place" as described in Deed Book 246 at pages 524-526.



I further state that neither R. S. Pennington, nor Mrs. Willie L. McKee  
has ever owned, claimed, or possessed any part of said "Dyke Place" as  
described in Deed Book 246 at pages 524 526

Roy Partridge  
Roy Partridge

Sworn to and subscribed before me this 23<sup>rd</sup> day of August, 1967.

Robert L. Lealer  
Notary Public

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1967 SEP 26 PM 3:02  
U.C.C. FILE NUMBER OR  
REC. BK. & PAGE AS SHOWN ABOVE  
*Comd. J. J. Smith*  
JUDGE OF PROBATE