

9486

STATE OF ALABAMA )

SHELBY COUNTY )

Before me, the undersigned authority, a Notary Public in and for said County, in said State, personally appeared BILL COATES, who, after being by me first duly sworn to speak the truth deposes and says as follows:

My name is Bill Coates and I am 73 years of age. I present reside at Route 1, Helena, in Pelham, Alabama. I have been familiar with the occupation, use, and possession of the hereinafter described real property situated in Shelby County, Alabama, for a period in excess of 50 years, said property being more particularly described as follows, to-wit:

Part of the SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 13, Township 20, Range 8 West; said part being more particularly described as follows: Commence at the SW corner of Section 13, Township 20, Range 3 West; thence run easterly along the south line of section 13 a distance of 1737.12 feet to an iron pin on the ridgeline of a mountain; thence turn an angle of 110 deg. 51' to the right and run northerly along the ridgeline of said mountain a distance of 125.0 feet to an iron pin, said pin being the point of beginning. From the point thus established, continue northerly along the ridgeline of the mountain a distance of 560 feet to the southerly right of way line of the Plantation Pipeline; thence run westerly along the said right of way line a distance of 335 feet more or less to the easterly right of way line of an unpaved road; thence run southerly along the said right of way line a distance of 585 feet more or less to a point 125.0 feet north of the south line of Section 13; thence run east and parallel to the said section line a distance of 335 feet to an iron pin on the ridgeline of the mountain, said pin being the point of beginning.

The above described property is presently owned by William Paul Yeager and Clara Young Yeager who were grantees in the deed from Paul L. Yeager and Willie B. Yeager, dated February 21, 1968, and recorded in Deed Book 251, page 934, in the Probate Records of Shelby County, Alabama.

The above described property is a part of a larger tract purchased by Paul L. Yeager and wife Willie B. Yeager from Leonard & Company, Inc., on March 21, 1952. Immediately after Mr. and Mrs. Yeager purchased the property in 1952 Mr. Yeager built a building on the larger tract of which the above described property is a parcel. This building and the larger tract purchased by Mr. and Mrs. Yeager in 1952 was occupied by Mr. and Mrs. Yeager as a "tin shop". The building is still being used and occupied by Mr. and Mrs. Yeager as of this date for commercial purposes. About 1955 Mr. and Mrs. Yeager constructed a residence on the larger tract, of which the above described property is a part, and have resided continuously and exclusively in said residence from the time it was completed in 1957 up to and including the date of this affidavit. I have never heard the title of William Paul Yeager and Clara Young Yeager to the above described

property or that of Paul L. Yeager and Willie B. Yeager questioned or disputed in any way. During the time I have known the above described property as aforesaid it has been in the continuous, exclusive, notorious, hostile, adverse possession of William Paul Yeager and Clara Young Yeager, Paul L. Yeager and Willie B. Yeager, and Leonard & Company, Inc. and I have never heard their title questioned or disputed in any way.

I am familiar with the location of that property which was conveyed by Nettie Comer to L. G. Cox on November 5, 1942, by deed recorded in Deed Book 116, page 157, in the Probate Records of Shelby County, Alabama. The property conveyed to L. G. Cox by said deed and the property which he went into possession of, which is now possessed by the widow of L. G. Cox, all lies East of the top of the mountain and East of the above described property. It does not overlap on the above described property at any point and there has never been any dispute concerning the location of said property/

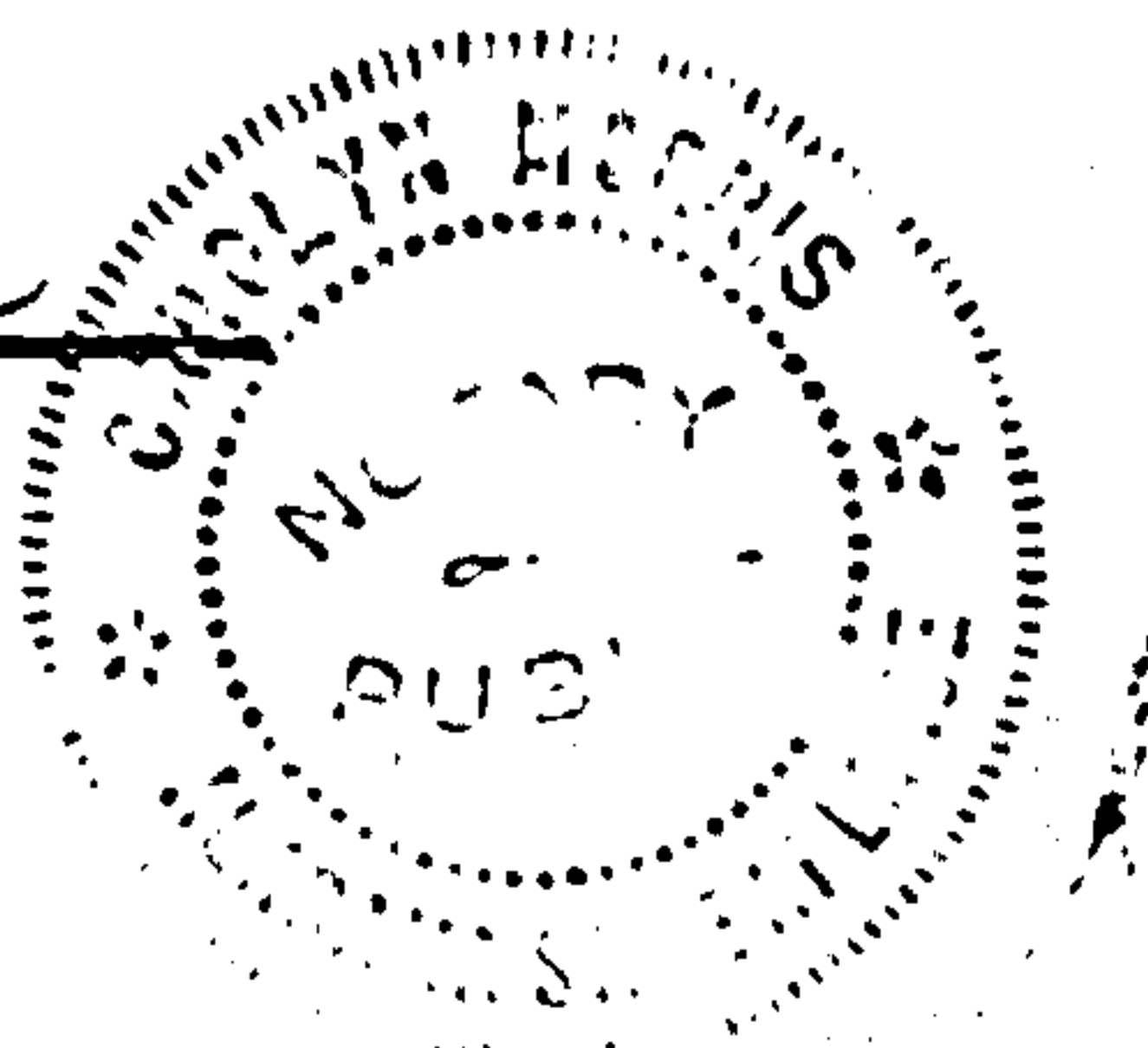
I am also familiar with the location of that certain property which was conveyed by Ed Payne to Jno. A. Payne by deed dated May 29, 1925, and recorded in Deed Book 87, page 379, in the Probate Records of Shelby County, Alabama. The property conveyed to Jno. A. Payne by said deed actually lies East of the top of the mountain and east of the first described property above. It does not touch or overlap on the above described property at any point. Actually the property conveyed to Jno. A. Payne by said deed is located in the SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of said Section and any description contained in said deed to the contrary is in error.

As stated above, I am familiar with the location of the property which was owned and claimed by L. G. Cox. It has been called to my attention that on January 8, 1953, L. G. Cox and wife, Estella Cox executed a transmission line permit in favor of Alabama Power Company which is recorded in Deed Book 158, page 584, in the Probate Records of Shelby County, Alabama. The property which was claimed by L. G. Cox and wife and from which said transmission line permit was given lies East of the top of the mountain and does not touch or overlap on the above described property at any point.

Sworn to and subscribed before me  
this 15<sup>th</sup> day of March, 1968.

*Carole Morris*  
Notary Public

My Commission Expires: Mar 15, 1970



*W H Coats*  
REC. EX. & FILED IN MAR 13 PM 1:50  
JUDGE OF PROBATE  
STATE OF ALA. SHELBY CO.  
INSTRUMENT WAS FILED  
C.C. FILE NUMBER OR  
PAGE AS SHOWN ABOVE

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