

9659
STATE OF ALABAMA

SHELBY COUNTY

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

My name is W. D. Hughes. I own a one-half interest in the following described land and am familiar with its boundaries. Said land being described as follows:

The E $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 30, Township 18 South, Range 2 East;

Also the SE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 30, Township 18 South, Range 2 East, EXCEPT the following described parcel of land: A part of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 30, described as commencing at the southeast corner of said forty; thence north 2 deg. 30 min. West along the east line of said forty 353 feet to the point of beginning; thence turn an angle of 102 deg. 15 min. to the left and run 420 feet; thence turn an angle of 102 deg. 15 min. to the right and run 561 feet to an old road; thence turn an angle of 77 deg. 45 min. to the right and run along said old road 420 feet; thence turn an angle to the right of 102 deg. 15 min. and run 562 feet, more or less, to point of beginning of said exception, containing 5 acres, more or less, in said exception; situated in Shelby County, Alabama.

I have been shown a deed from S. M. Goodwin and wife to John Henderson Howard dated June 5, 1906, covering about 2 acres of land which was said to be in the NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 30 and in the forks of the Harpersville road and Glovers Ferry Road, all of which is more particularly described in said deed. Affiant says he is familiar with the point of forks of said roads and he knows said two acre lot was a part of the approximate 5 acre parcel excepted above.

Affiant further says that said deed from James H. Kendrick and wife to R. P. Falkner dated February 4, 1905, recorded in Deed Book 39 page 190 in said Probate Office which describes a 2 acre parcel of land as beginning on the west side of the Harpersville road and on south side of road running from the Glovers Ferry road, etc, all as more particularly described in said deed. Said land is a part of the same 5 acre tract excepted above.

Affiant further says there has been called to his attention a deed from J. H. Kendrick and wife to P. L. Baker dated January 22, 1913, recorded in Deed Book 62 page 526 in said Probate Office, which describes a 2 $\frac{1}{2}$ acre parcel as commencing 14 poles south of where the Glovers Ferry Road crosses the Harpersville Road on the west side of said Harpers Valley road, etc, which is more particularly described in said deed and said lot is a part of said 5 acre lot excepted above.

Affiant says there has been called to his attention a deed from Mary Thomas Goodwin to Littleton Eason dated June 1, 1940, describing among other lands,

one lot commencing 14 poles south of where the Glovers Ferry Road crosses the Harpersville road on the west side of Harpersville Road, etc and is more particularly described in said deed. Affiant says/^{the 2 1/4 acre lot} is one and the same lot as that described in the deed from J. H. Kendrick and wife to P. L. Baker mentioned above, which said lot is said to contain 2 1/2 acres and said lot is a part of the 5 acre parcel excepted out of the above captioned land.

Said 2 1/2 acre lot described in some of the deeds mentioned above and the 2 3/4 acre lot described in others constitute the said 5 acre tract excepted out of the description shown in this affidavit. Said 2 3/4 acre lot lies south of the 2 1/2 acre lot.

With reference to the deed from F. J. Owen and wife to Fred Brasher dated February 23, 1957, recorded in Deed Book 208 page 630 in said Probate Office, affiant says he knows Littleton Mason sold to F. J. Owen a 5 acre tract which is described in said deed and that is all F. J. Owen ever owned in said forty acres. When he had the same surveyed, he had a different description drawn up on the 1.25 acre parcel of land shown in said deed, as he was selling it to another party. Through some oversight said 1.25 acre parcel and said 5 acre parcel descriptions were both put in the deed, but from reading the description it is clear that the 1.25 acres is a part of the same 5 acre tract excepted hereinabove.

Affiant further says that said 5 acre parcel is bordered on the north by the old settlement road, also known as Glovers Ferry Road; that the east line adjoins Grayson Lumber Company land and is well marked; and that there is no dispute among the property owners as to the lines surrounding said 5 acres excepted. The southeast corner of said 5 acre parcel is bordered by a branch and there was a fence along a part of the south line several years ago. There are stobs marking the northwest and southwest corners of said 5 acre parcel and have been there since the same was surveyed about the year 1957.

I have never heard of anyone disputing the title to or contesting the possession of W. D. Hughes and F. R. Elliott or their predecessors in title and I know there are no disputes as to boundary lines among the parties owning the adjoining lands.

W. D. Hughes
W. D. Hughes

Sworn to and subscribed to before me on
this the 27th day of March, 1968.

Walter B. Jones
Notary Public

STATE OF ALABAMA

SHILBY COUNTY

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

My name is Littleton Eason. I am 65 years of age and formerly owned the five (5) acres mentioned above in the affidavit of W. D. Hughes. I have read said affidavit and have been familiar with the property involved for many years and I know of my own knowledge that the matters and things which he stated are true and correct.

Littleton Eason
Littleton Eason

Sworn to and subscribed to before me on
this the 26th day of March, 1968.

Martha E. Jones
Notary Public

STAFF OF THE
SHILBY COUNTY
RECORDING DEPT
1968 APR - 6 PM 1:30
U.C.C. FILED
REC. EX. 2111 AS ABOVE

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