

STATE OF ALABAMA

SHELBY COUNTY

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

My name is Fred Yarbrough. I am 78 years of age and reside at Box 61, Calera, Shelby County, Alabama.

I have been familiar with the ownership and possession of the North Half of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 4, Township 22 South, Range 2 West for the past 25 years, having actually lived and resided within a mile of said property for the past 25 years.

Said property, as shown by the Right of Way Map for Interstate Highway No. I-65 which is recorded in Right of Way Map Book 2 at page 9g, Office of Judge of Probate of Shelby County, Alabama, lies to the East of said Interstate Highway, a portion of the Western part of said property being taken by said Interstate Highway.

To my knowledge, there are no buildings or improvements situated on said property, nor have there been for the past 25 years. There is a cemetery or burial ground situated on said property, being approximately 1/2 acre.

Said property was originally owned by Green or Mary Herndon and was owned by them when I first remember said property, and after their respective deaths, it is my understanding that said property has now been conveyed by their heirs to John S. Herndon (who is one of their children and heirs).

I know of my own personal knowledge that no one other than said John S. Herndon and his predecessors in title, as designated above, have possessed said property, or any part thereof, for the past 25 years, said John S. Herndon and his said predecessors in title having been in the actual, open, continuous,

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notorious, undisturbed, peaceable, exclusive, hostile, adverse possession of all of said property for the past 25 years.

I personally know Mack Goodlet and his wife, Doris Goodlet, said Mack Goodlet being the brother of my wife, Earnestine Yarbrough. Said Mack Goodlet bought a lot from said Green Herndon and Mary Herndon about 1946 which is situated to the West of said Interstate Highway and fronting on the East side of U. S. Highway 31, as shown by said map of said Interstate Highway above referred to. To my knowledge, said Mack Goodlet and Doris Goodlet own no property to the East of said Interstate Highway.

All of the property of the New Mt. Moriah Baptist Church (also known as the New Mountain Moriah Baptist Church) lies to the west of said Interstate Highway ^{and to the west of} of said U. S. Highway No. 31.

I do not know Susan Hart, S. C. Cost, nor James Taylor, nor have I ever heard of their owning, possessing, or claiming any part of the above described property of John S. Herndon.

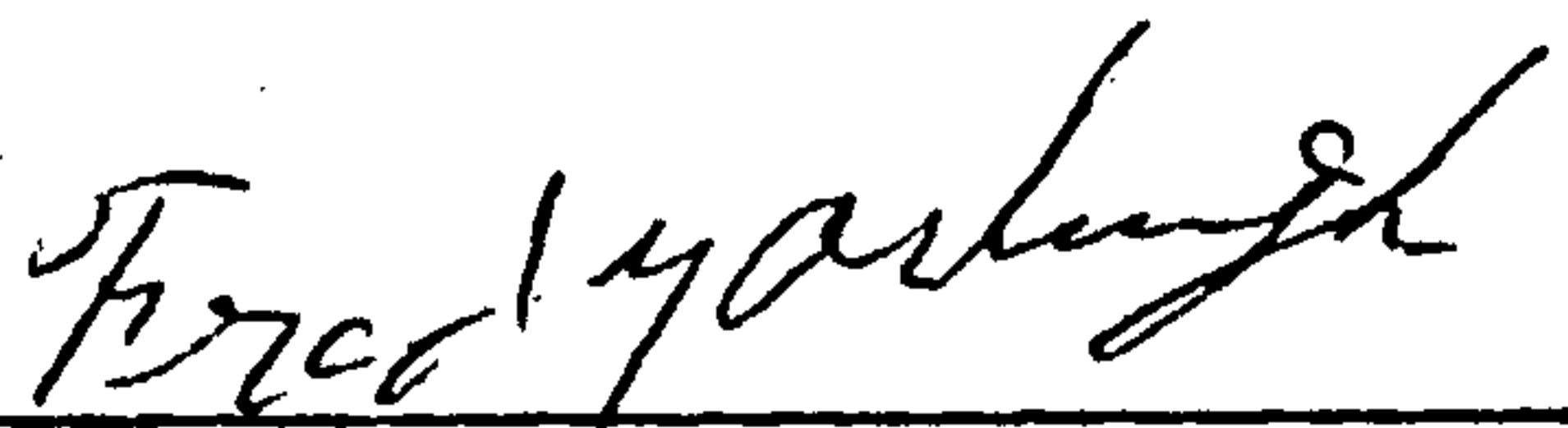
The lot shown by the map of said Interstate Highway above referred to lying to the west of said Interstate Highway, fronting on the east side of U. S. Highway, and shown on said right of way map to be possessed by Rosa Williams, is the property formerly owned by Wendell Herndon. Said Wendell Herndon, now deceased, was the brother of said John S. Herndon, the son of said Green and Mary Herndon, and after the death of said Wendell Herndon, his widow, Rosa Herndon, married Lepera Williams.

The lot shown on the map of said Interstate Highway above referred to lying to the west of said Interstate Highway, fronting on the east side of U. S. Highway No. 31, and adjoining said Mack Goodlet property on the south, and shown by said map to be possessed by Tom Hill, is now owned, or was formerly owned, by Lula Webb. The house which was situated on said lot burned about fifteen years ago. Tom Hill is the brother of Lula Webb, said Lula Webb being deceased.

The lot shown on the map of said Interstate Highway above referred to lying to the west of said Interstate Highway, fronting on the east side of U. S. Highway 31, and adjoining said Tom Hill^{or Lula Webb} lot on the south, and shown on said highway right of way map to be possessed by Fletcher Lilly, was formerly known to me as the Effie Lindsey lot, it being my information that said Green and Mary Herndon conveyed said lot to Effie Lindsey many years ago. Said property was then conveyed to Joe Bell and wife, Katie Bell, was subsequently conveyed to Mary Louise Grant, who is also known as Mary Louise Nabors (the wife of Tom Nabors). Fletcher Lilly did actually live on this^{lot} before his death, some 10 or 15 years ago.

The property of George Smith shown on said map of said Interstate highway above referred to fronting on the west boundary of said Interstate Highway and on the east boundary of said U. S. Highway 31 and adjoining said Rosa Williams lot on the north is now owned by Lizzie Smith, the widow of said George Smith, and by the heirs of said George Smith. The lot of Julius and Juanita Gaiters, and also the lot of Bonnie S. Powell and wife, Ruby E. Powell each came off the Ben Gaiters' property and each lie to the west of said Interstate Highway.

The property shown on said map of said Interstate Highway above referred to as lying to the west of said Interstate Highway and fronting the Ben Gaiters property on the west, fronting U. S. Highway 31 on the east, fronting the Clint Kirkland lot on the south, and fronting the south line of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 4, Township 22 South, Range 2 West, was a part of the original Green and Mary Herndon property^{and} is now owned by said John S. Herndon, together with the above described property designated in this affidavit as being owned by said John S. Herndon.


Fred Yarbrough

Sworn to and subscribed before me

this 25th day of May, 1968.


Notary Public

STATE OF ALABAMA

SHELBY COUNTY

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

My name is Tom Reid. I am 83 years of age and reside at Route 2, Box 75, Calera, Alabama, in the Pineville Community.

I have read the above affidavit of Fred Yarbrough, and I herein state that I know the facts as stated in said Fred Yarbrough to be true and correct, to my own personal knowledge. I have been familiar with the possession and ownership of the property described above and designated in said affidavit of Fred Yarbrough as being the property of John S. Herndon since 1937, and I lived on the adjoining property from 1937 until 1947; since then I have lived about a mile and a quarter from said property continuously.

To add further to the affidavit of Fred Yarbrough, Mary Louise Grant Nabors is the niece of Katie Bell. Fletcher Lilly never owned the lot which was owned by Joe and Katie Bell, but he did stay there for a while--he is dead now. The Ben Gaiters property consists of approximately 6 acres and lies entirely to the West of said Interstate Highway.

Tom Reid
Tom Reid

Sworn to and subscribed before
me this 28th day of May, 1968.

[Signature]
Notary Public

STATE OF ALABAMA

SHELBY COUNTY

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

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BOOK 253

My name is Lepra Williams. I am 58 years of age and reside at Route 2, Calera, Alabama.

I have read the above affidavit of Fred Yarbrough, and I herein state that I know the facts as stated in said Fred Yarbrough/^{affidavit}to be true and correct, to my own personal knowledge. I have been familiar with the possession and ownership of the property described above and designated in said affidavit of Fred Yarbrough as being the property of John S. Herndon for the past 30 years, having lived within a mile of said property continuously during said period of time.

I have previously made an affidavit relative to said property, together with other property, which is recorded in Deed Book 230, page 614, Office of Judge of Probate of Shelby County, Alabama. Rosa Williams, ^{also known as Rosie Williams,} who was the widow of Wendel Herndon, is my wife.

Lepra

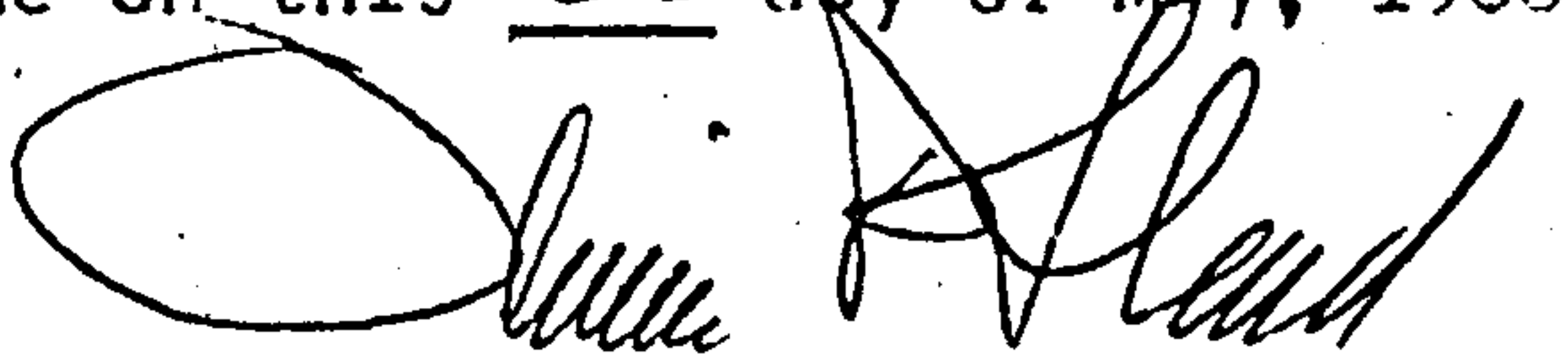
hi

X Williams

mark

Lepra Williams

Sworn to and subscribed before
me on this 25th day of May, 1968.



Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1968 MAY 28 PM 9:49
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Conrad J. Franklin
JUDGE OF PROBATE