

STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned authority in and for said county in said State, personally appeared Fred H. Frost, Sr., who, after being by me first duly sworn to speak the truth, deposes and says:

My name is Fred H. Frost, Sr. I am 73 years of age and have lived in and around Montevallo, since 1904 and have all along been well acquainted with the hereinafter described land and the persons in possession of it. Said land being described as follows:

A part of Lots 15 and 16 according to the Original Plan of Montevallo Alabama, more particularly described as follows: Beginning at a point on the southeast side of Valley Street, said point being the northernmost corner of Lot 16 and run in a southwesterly direction along the southeast side of Valley Street a distance of 100 feet; thence in a southeastern direction parallel with Shelby Street a distance of 125 feet; thence in a northeastern direction parallel with Valley Street a distance of 50 feet; thence in a northwestern direction parallel with Shelby Street a distance of 35 feet; thence in a northeastern direction parallel with Valley Street a distance of 50 feet; thence in a northwestern direction along the southwest side of Lot 17, a distance of 90 feet to the point of beginning; situated in Shelby County, Alabama.

Affiant says he knew Wm. B. Reynolds and the other persons who executed a deed on November 23, 1921, to P. C. Wilson as shown by deed recorded in Deed Book 86 page 347 in the Probate Office of Shelby County, Alabama. Affiant says he knows not any of the property conveyed in the deed was the homestead of any of the makers of the deed.

There has been called to affiant's attention that John T. Ellis made a deed to Frank Nelson in 1920, as shown by deed recorded in Deed Book 69 page 163 in said Probate Office covering a portion of said land and that J. S. Prentice and wife made a deed to Frank Nelson covering the remainder of said land in May, 1924, as shown by deed recorded in Deed Book 75 page 221 in said Probate Office. Affiant says he recalls that Frank Nelson moved into the house situated on the land at the time he purchased the first parcel and occupied that parcel, along with the other parcel when he purchased the same, and lived there with his wife, Annie Nelson until he conveyed said land to Annie Nelson in February, 1942, as shown by Deed Book 115 page 36 in said Probate Office. Affiant says that all of said land was fenced in and Frank Nelson and his wife, Annie Nelson continued to live on the place until his death. After which, Annie Nelson lived there until her death this year. The devisee under her Will, Alex Caldwell, I understand has taken the land into possession and I know he is claiming the same under the Will, of Annie Nelson, deceased.

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Throughout all the years, I know said persons have been in the actual possession of the land, using the same as their homelace, cultivating part of it as a garden and used part as their yard and I know they claimed to own the same adversely to all the world and I have never heard of anyone contesting their title or disputing their possession.

I am informed some of the deeds to said parties did not correctly describe the land, but I have looked at the map of the same on page 1 of an abstract and read the description in this affidavit and know it describes the property intended and said parties were in possession of and Annie Nelson willed the same to Alex Caldwell, as mentioned above.

Fred H. Frost, Sr.
Fred H. Frost, Sr.

Sworn to and subscribed to before me on
this the 7th day of November, 1963.

Martin A. Joiner
Notary Public

STATE OF ALA. SHELBY CO.
CERTIFY THIS
INSTRUMENT WAS FILED
1963 DEC -9 PM 11:20
U.C.C. FILE NUMBER OF
REC. BK. & PAGE AS SHOWN ABOVE
Judge of Probate

800-233 877