

## Shelby County

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

My name is Victor Scott. I am 43 years of age and have been familiar with the hereinafter described property all of my life and can remember the same since I was 8 or 10 years of age. Said land being described as follows:

3 acres in SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 17, Township 21 South, Range 2 West, described as follows: Beginning at SW corner and run north 210 feet; thence east 630 feet; thence south 210 feet; thence west 630 feet to the point of beginning;

Also part of NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 20, Township 21 South, Range 2 West, described as follows: Begin at the northwest corner of said forty acres and run south 484 feet; thence east 710 feet; thence northwest and parallel with the highway 715 feet; thence west 149 feet to point of beginning;

Also all that part of the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  and of the NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 20, Township 21 South, Range 2 West, lying northeast of the Birmingham-Montgomery Highway;

Also begin 35 feet north of the southwest corner of NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 20, Township 21 South, Range 2 West and run east 350 feet, more or less to west line of Seay land; thence northerly along west line of Seay land and Gordon Frost land to south line of George L. Scott, Sr. land; thence west 310 feet, more or less, to west line of said forty acres; thence south along west line to point of beginning;

situated in Shelby County, Alabama.

There has been called to my attention a Lease Agreement dated January 18, 1908, between South & North Alabama Railroad Company and J. B. Adams, which is recorded in Deed Book 41 page 70 in the Probate Office of Shelby County, Alabama. I am familiar with the railroad in this area. The main line does not touch the above described property, but a spur line did run in a southwesterly direction from the main line across the NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Section 20, but it has been abandoned for more than 30 years.

Affiant says there is a fence along the easterly line of the Scott property where the same adjoins the westerly line of the Nina Bell Seay property, formerly known as the E. G. Goodwin property, in the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 20. Said fence has been in its present condition for the past 25 years and there is no dispute or overlappage between said properties.

There has been called to affiant's attention a paper labeled "Lease" which appears to be a receipt to Postal Tel. Cable Company from G. L. Scott in full satisfaction for all damages due to construction and maintenance of its telegraph line along the Scott property. Affiant says the only line crossing the property at the present time is that of Southern Bell which is marked by its poles and cables and crosses the northerly portion of NE $\frac{1}{4}$  of NW $\frac{1}{4}$  and the westerly portion of NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Section 20 and the same has been in its present location all these years.

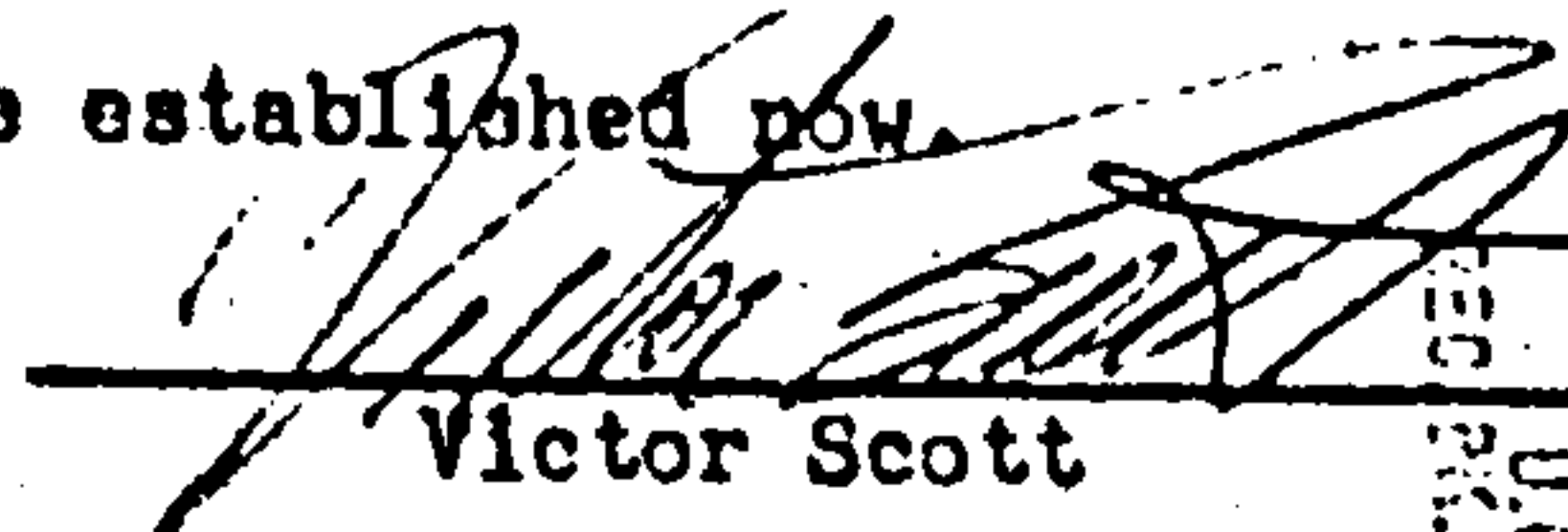
There has been called to my attention a Transmission Line Permit from Longview-Saginaw Lime Works, Inc. made in 1938 and a deed made in 1930 from Longview Lime Works to J. Beecher Adams recorded in Deed Book 91 page 497 and a deed back to Longview-Saginaw Lime Works, Inc. in 1934 as shown by Deed Book 98 page 29, all of which describe the SW $\frac{1}{4}$  of said Section 17. This was an error in description as said corporation and J. Beecher Adams never claimed any interest to the parcel described above in said Section 17 as being 210 x 630 and affiant is sure this was an error in said tract not being excepted therefrom, as neither have ever been in the possession of this land since his father purchased the same in 1902.

Affiant further says from the time he can remember and from common knowledge in the family, his father has been in the actual possession of the above described land from the time he purchased the same, he having purchased said land at different times, until his death. After that, my Mother, his widow Annie W. Scott has occupied the home and been in actual possession of the property and they have held it openly, adversely and continuously throughout all the years, and he has never heard of anyone contesting their title or disputing their possession of said land.

Affiant says there is a fence around all of the above described land except for the west line, but there is a road which runs along the west line and is on the forty line and marks the same the entire distance. There is not a fence along the land bordering the Gordon Frost land, but the lines are well established and there is no conflict between the parties.

Affiant further says the dwelling house is situated on the 210 x 630 tract located in the SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 17 and the remainder of the land was used for cultivation, and timber growing land throughout the years.

I understand my father made an affidavit covering the property owned by Nina Bell Seay in 1951. At that time the fences mentioned therein are located in the same place as they are at this time and I know my father's affidavit referred to the lines the same as they are established now.

  
Victor Scott

Sworn to and subscribed to before me on  
this the 26<sup>th</sup> day of February, 1968.

  
Notary Public