

STATE OF ALABAMA

SHELBY COUNTY

Before me, R. C. HENDERSON, the undersigned authority in and for said County, in said State, personally appeared Harry Kendrick, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is Harry Kendrick. I am 52 years of age and have lived in the town of Montevallo, Alabama, since 1916 and have all along been well acquainted with the hereinafter described tract of land. Said tract being described as follows:

A part of Fractional Section 29, Township 22 South, Range 3 West, and a part of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 4, Township 24 North, Range 12 East, more particularly described as follows: Commence at the northeast corner of Section 29, Township 22 South, Range 3 West and run in a southerly direction along the east line of said Section 29, a distance of 253.31 feet to point of beginning of tract herein described; thence continue along last stated course a distance of 319.57 feet to southeast corner of Section 29, Township 22 South, Range 3 West; thence continue in a southerly direction in the prolongation of the last stated course a distance of 117.86 feet to a point; thence 90 deg. 00 min. to right and run westerly direction 473.09 feet; thence turn an angle of 72 deg. 16 min. 24 sec. to right and run 53.73 feet; thence turn angle of 17 deg. 43 min. 36 sec. to right and run 492.35 feet; thence turn angle of 99 deg. 32 min. to right and run 151.76 feet; thence turn an angle of 12 deg. 13 min. to right and run 63.78 feet; thence turn angle of 14 deg. 36 min. to left and run 100.78 feet; thence turn angle of 6 deg. 46 min. to right and run 186.01 feet to the point of beginning; being situated in Shelby County, Alabama.

Affiant says that the portion of said tract of land lying east of the Morgan land is separated by a fence and has been so separated for as long as affiant can remember. Affiant further says that the portion west of the fence is known as the Morgan land and that portion east was known as the Lyman land. Affiant further says that all of the above described tract, including a tract of land lying east of the above land has throughout the years been enclosed by a fence. Affiant says that when he first moved to Montevallo, said Lyman land was rented out by its owners to Howard Wells and he cultivated it as their tenant for several years. Affiant says that during the years 1925 and 1926, affiant worked for Howard Wells and plowed said Lyman land. Affiant further says that said Lyman land is now owned by and in the possession of Catherine V. Fancher, Walter F. Fancher and James E. Fancher and that said Morgan land is now owned by and in the possession of N. H. Waters, Jr. With reference to said Morgan land, affiant says he knows Margaret W. Morgan, also known as Margaret Walker Morgan, and since her death in 1957, her daughter Mary Gray Morgan and then N. H. Waters, Jr. have been in the continuous and actual possession of said Morgan land all the years which affiant has known the same.

Affiant further says he is familiar with that certain deed from Mrs. Annie L. Kendrick and husband, S. J. Kendrick to Mrs. Florence T. Milstead dated October 16, 1944, and recorded in Deed Book 120 page 67 in the Probate

Office of Shelby County, Alabama, and that the grantors in said deed were affiant's father and mother. Affiant further says the land conveyed in said deed was across the creek from and north of the above described Lyman and Morgan land.

Affiant further says there has been called to his attention a deed from J. W. Acker and wife to Charles T. Acker dated February 16, 1921, recorded in Deed Book 68 page 271 in said Probate Office and affiant says this covers the Charles T. Acker homeplace and does not encroach upon the above described land.

Harry Mendrick
Harry Mendrick

Sworn to and subscribed to before me
this the 27th day of February, 1961.

R. Henderson
Notary Public
My Commission Expires
March 2, 1962



STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1969 JUL -1 PM 1:25
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Cone of M. J. Anderson
JUDGE OF PROBATE