

STATE OF ALABAMA

SHELBY COUNTY

3108

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

My name is Paul Yeager. I am 55 years of age and have lived in the Pelham community 38 years. In fact, I am Mayor of the Town of Pelham. I have all along been well acquainted with the hereinafter described land.

A part of the NW $\frac{1}{4}$ Section 24 Township 20 South, Range 3 West, described as follows: Commencing at the NW corner of Section 24, Township 20 Range 3 West and run South 50 deg. 15 min. East 1408 feet to a point on the East side of the Birmingham-Montgomery Highway which is the point of beginning; thence North 77 deg. 37 min. East 447 feet to an iron post on top of mountain; thence South 15 deg. 10 min. West 415 feet along top of mountain; thence South 0 deg. 10 min. West 526 feet to the right of way of the A. B. & C. RR; thence along said right of way North 78 deg. West 394 feet to the right of way of Birmingham-Montgomery Highway; thence with same four lines North 9 deg. 30 min. East 409 feet to right of way marker; North 4 deg. East 205 feet; North 89 deg. 30 min. West 25 feet; North 0 deg. 30 min. West 95 feet to point of beginning.

Also beginning on the East margin of the Birmingham-Montgomery Highway at the NW corner of the A.M. and A.L. Word tract of land and run thence in a Northerly direction along East margin of said Highway a distance of 200 feet; thence in an Easterly direction and parallel with the North boundary of said Word tract a distance of 218 feet; thence in a Southerly direction and parallel with said Highway 200 feet; thence in a Westerly direction along the Northern boundary of said Word tract a distance of 218 feet to point of beginning in Section 24, Township 20 South, Range 3 West.

situated in Shelby County, Alabama.

Excepting right of way of the 4 land Birmingham-Montgomery Highway and excepting right of way of Pelham-Simmsville Highway.

It has been called to my attention that some of the earlier deeds covering said land stated that the North line of said land ran parallel with the North line of the 40 acres of which said land was located. Affiant says that the Town of Pelham has recently obtained an easement for water line off the Southeasterly line of the Sorrell property, which adjoins and lies North of the above described property and the said easement runs in a Northeast and Southwest direction and parallel with the North line of the Word property. Affiant says there is a marker on the Northwest corner of the Word property situated on the East line of the Birmingham-Montgomery Highway and as mentioned above, the North line of the Word property runs Northeast and Southwest.

When I first remember all of the above described property, meaning both tracts of it, it was owned by A. M. Word and A. L. Word and it is common knowledge in the Pelham community that said building was built in about 1929 which was before I knew the property and they were living in the upstairs of the building and they both lived there with their families each and every year

until Mr. A. M. Word, in later years, sold his interest to A. L. Word. Mr. A. L. Word, also known as Archie Lee Word, continued to live in said building until his death on April 30, 1956, after which time his widow continued to live in the living quarters of said house and ran the store situated on the first floor of said building until her death on July 13, 1966, after which her personal representatives in due time disposed of the merchandise inventory. Their son, Harold Word, has continuously lived there until this very day except for the time he was away in the U. S. Army. The lower portion of said building has been vacant for the past several months.

The westerly line of said property bordered and was marked by the easterly line of the Birmingham-Montgomery Highway and the southerly line is marked by the right of way of the county road leading in an easterly direction toward Simmsville. The North line is marked by the top of the ridge of the mountain. What I say is true as to the larger tract of land but the 200 ft. by 218 ft. tract does not extend back to the top of the mountain and the northerly line of said small tract of land borders the Sorrell land and also borders the Town of Pelham easement.

Affiant further says that throughout all the years he has never heard of anyone contesting the title or disputing the possession of Harold Word and Joan Word or their predecessors in title.

It is called to the affiant's attention a deed from Alberta Turpin Coates and husband, Kenneth H. Coates to J. W. Boyer and wife, Mattie Lou Boyer dated March 18, 1949, and recorded in Deed Book 395, page 25, and which is pointed out to affiant covers certain land and excepts 15 acres sold to A. M. Word and son. Affiant says that he know that said Boyer land lay west of and adjoined and did not overlap on the A. L. Word and A. M. Word land.

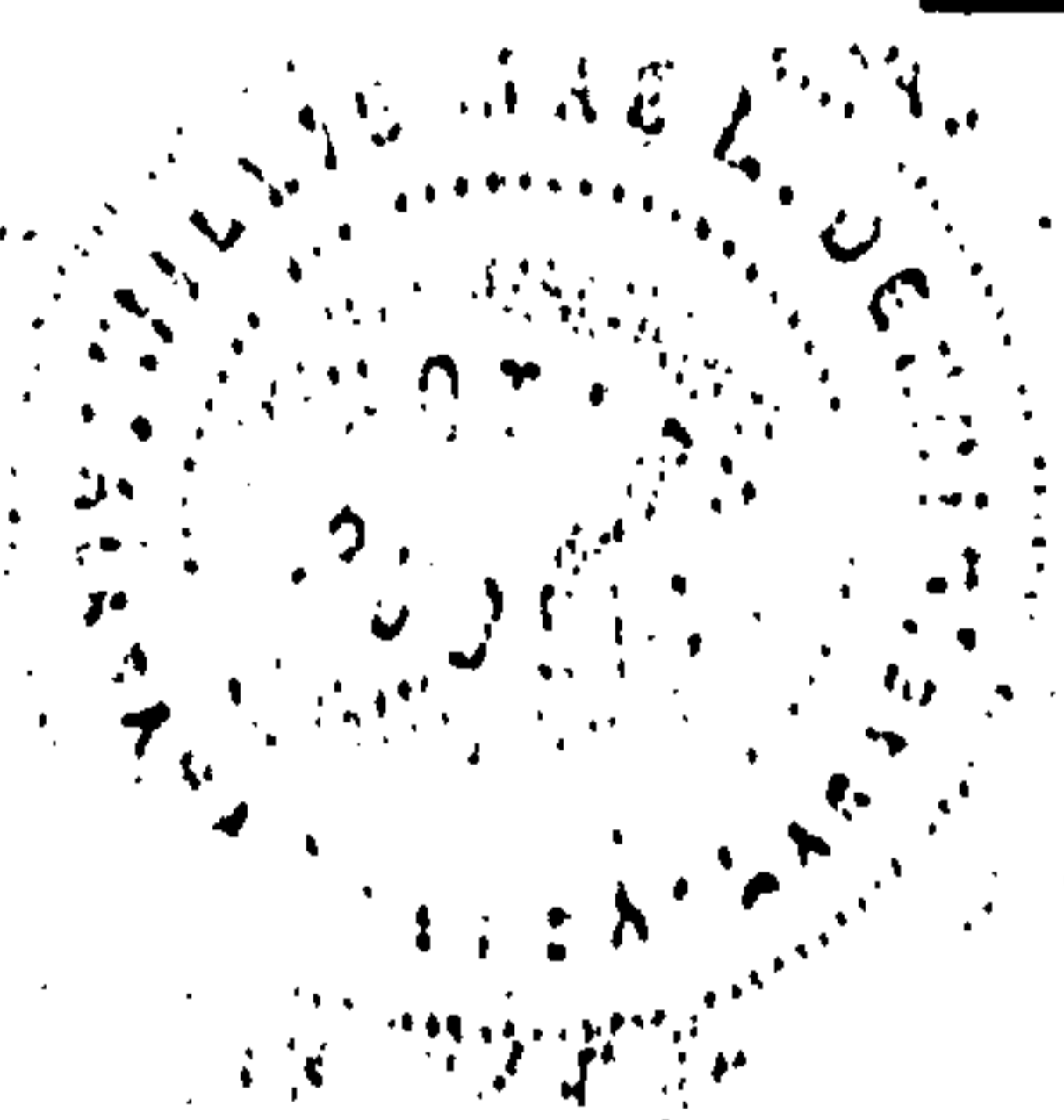
It is called to affiant's attention that there is some material options, one of which is recorded in Deed Book 134, page 151 in the Probate Office of Shelby County, for the building of Montevallo and Siluria Road. Affiant says said road was completed many years ago. Another material option is recorded in Deed Book 163, page 404. Affiant says that option appears to be for the construction of the Birmingham-Montgomery four land highway and has been completed for several years and if it had been for the paved road leading to Simmsville, it has also been completed for several years. There is no excavation or work being done on either of said roads at this time and has not been any for several years.

It is called to affiant's attention a deed from L. G. Fulton, Register, Law and Equity Court dated March 26, 1968, which is recorded in Deed Book 252, page 396 in the Probate Office of Shelby County, and which conveys certain land then belonging to the estate of Blanche Sorrell, to Paul Yeager. Affiant is one and the same person who purchased the said land and affiant says it is the same land referred to in this affidavit which adjoins and lies North of said 218 ft. tract known as the Word land, and affiant said that said water line easement to the Town of Pelham was taken off the Southerly line of said Sorrell property. Affiant further says that since he purchased said land, that he has sold it to Ralph Sorrell, the son of Mrs. Blanche Sorrell.

Paul Yeager
Paul Yeager

Sworn to and subscribed to before
me on this the 6 day of
August, 1969.

William Mae L. Dennis
Notary Public



STATE OF ALABAMA

SHELBY COUNTY

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

My name is Talmadge Oldham. I am 57 years of age. I have lived in the Pelham community all my life and have all along been well acquainted with the property described in the attached affidavit made by Paul Yeager. I have read said affidavit and I know the same to be true and correct.

In addition to what Mr. Yeager made affidavit to, I desire to add the following information. It is called to my attention the Will of F. C. Douglas and A. E. Douglas under which this property was willed to Mrs. F. C. Douglas. It is also called to my attention a deed from F. C. Douglas and wife, Dora B. Douglas conveying a portion of the property referred to in Mr. Yeager's affidavit, which deed was made on April 2, 1930 and recorded in Deed Book 89, page 115, in the Probate Office of Shelby County, Alabama. I knew Mr. Douglas and knew that Mrs. F. C. Douglas was one and the same as Dora B. Douglas.

Talmadge Oldham
Talmadge Oldham

Sworn to and subscribed to before me
on this the 6 day of August, 1969.

Hellie Mae L. Dennis
Notary Public



STATE OF ALA SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1969 AUG 16 AM 10:40
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Dennis
JANET OF PROBATE

BOOK 259 PAGE 119