

STATE OF ALABAMA)

SHELBY COUNTY)

Before me, the undersigned authority, a Notary Public in and for said County in said State, personally appeared CHESTER C. McMANUS, who, after being by me first duly sworn to speak the truth deposes and says as follows:

My name is Chester C. McManus and I am 49 years of age. I reside at Route 1, Harpersville, and have been familiar with the occupation, use and possession of the hereinafter described property for a period in excess of 35 years, said property being more particularly described as follows, to-wit:

PARCEL I: Begin 330 feet West of the SE corner of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23, Township 19, Range 1 East and run North 330 feet; thence run East 250 feet; thence South 1000 feet to the North right of way of U.W. Highway No. 280; thence Southwesterly along said right of way to a point 330 feet West of the west line of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$; thence run North to the point of beginning.

PARCEL II: Commence at a point 80 feet West of the SE corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 23, Township 19, Range 1 East, for point of beginning; run thence South 670 feet, more or less, to a point on the North right of way line of U.S. Highway No. 280; thence turn to the left and run Northeast along the North right of way line of U.S. Highway No. 280 for a distance of 750 feet; thence run North to a point 330 feet North of the Southern line of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 23; run thence West to a point 80 feet West of the west line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section; thence run South 330 feet, more or less, to point of beginning. Being 9 acres, more or less. Minerals and Mining rights excepted.

I have lived in the neighborhood of the above described property for all of my life and have been familiar with the occupation, ownership, use and possession of said property for my entire life as far back as I can remember. I have actually resided on portions of the above described property since 1941. In 1943 my wife and I purchased Parcel No. I above. The deed was not actually made until 1946, as shown by deed recorded in Deed Book 128, page 246, in the Probate Records of Shelby County, Alabama. We had actually resided on the property, however, for several years prior to that time, and had entered into an agreement to purchase the same. Clara Edith Meadows purchased a portion of Parcel No. II above in 1938, and another portion in 1942. By the end of 1942 Clara Edith Meadows and her husband David R. Meadows, who are also the owners of Meadows Plaza, Inc., a Florida corporation, had constructed on Parcel No. II above several structures used as a motel or tourist court. They also constructed a cafe on the property and which had living quarters situated therein. Clara Edith Meadows, David R. Meadows, their family and tenants occupied the structures and rented the structures out situated on Parcel II for each and every year from 1942 up until the property was sold in 1949 to Lewis E. Fulford and wife, Helen C. Fulford. Mr. and Mrs. Fulford shortly thereafter deeded the property back to David R. Meadows and Clara E. Meadows and they continued to occupy the same them-

selves or through tenants or other members of the family for each and every year up to about 1963 when the tourist court and the cafe were closed. They have continued in the occupation, use and possession of Parcel II above but have not used the tourist court or cafe for the purpose for which they were originally intended. During the more than 35 years I have known the occupation, use and possession of the above described property Parcel No. I has been in the actual, open, exclusive, notorious, hostile, and adverse possession of Lois Mae McManus and her aforesaid predecessors in title and Parcel No. II has been in the actual, open, exclusive, notorious, hostile, adverse possession of Meadows Plaza, Inc., a Florida corporation, and David R. Meadows and wife, Clara Edith Meadows. There have never been any disputes whatsoever concerning the title to said property and no other person, firm, or corporation has been in possession of the same or any part thereof during said period.

It has been called to my attention that a portion of the above described property was owned by W. L. Perkinson who purchased the property I understand in 1918. I understand that there is no deed of record showing the conveyance by W. L. Perkinson to L. H. Bentley. Such a conveyance did, however, take place and W. L. Perkinson has since made no claim to the property whatsoever. In fact, the old abstract on the property shows that on September 25, 1936, W. L. Perkinson and his wife, Etta Perkinson conveyed by warranty deed to L. H. Bentley all that portion of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 23, Township 19, Range 1 East, which lies North of the Florida Short Route Highway. This deed purportedly was witnessed by Charles H. Hilton and there was a general acknowledgement of both W. L. Perkinson and his wife Etta Perkinson and a separate acknowledgement for his wife Etta Perkinson on September 25, 1936, before Charles H. Hilton, a Notary Public in Jefferson County, Alabama. A copy of the abstracted copy of such deed is attached to this affidavit as Exhibit "A" and made a part and parcel hereof as fully as if set out herein. Also attached as Exhibit "B" to this affidavit is a photocopy of the abstracted deed from W. L. Perkinson and wife, Etta Perkinson to L. H. Bentley to that portion of the above forty acres which lies South of the Florida Short Route Highway.

Sworn to and subscribed before me
this 14th day of November, 1968.

Notary Public

Chester C. McManus

STATE OF ALA. SHELBY CO.
NOTARY PUBLIC
INSTRUMENT WAS FILED
1968 NOV 15 AM 7:25
REC. & FILE NUMBER OR
PAGE AS SHOWN ABOVE
JUDGE OF PROBATE
Clara Edith Meadows