

STATE OF ALABAMA

SHELBY COUNTY

Before me, a Notary Public in and for said County and State, personally appeared E. L. Gibson, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is E. L. Gibson. I am 76 years of age and reside at Route 2, Columbiana, Shelby County, Alabama. I have been familiar with the ownership and possession of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19, Township 21 South, Range 1 East since June, 1944, when I bought and went into possession of that part of said quarter-quarter section lying North of the Mardis Ferry Road, as shown by my deed recorded in Deed Book 116 at page 463, Office of Judge of Probate of Shelby County, Alabama.

Within the past 7 or 8 years, the said Mardis Ferry Road was widened, additional right of way was acquired therefor by Shelby County, and said Mardis Ferry Road was paved as a Shelby County Highway. The present right of way for said new paved Shelby County Highway includes all of the old Mardis Ferry Road.

It has been pointed out to me that Deed Book 248, page 348, Office of Judge of Probate of Shelby County, Alabama, shows a transmission line permit from Otha Cagle and wife, to the Alabama Power Company describing the West Half of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19, Township 21 South, Range 1 East. Evidentially said transmission line permit contains a mistaken description, as said Otha Cagle and wife have never owned, possessed, or otherwise claimed any part of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19, Township 21 South, Range 1 East/^{North of the Mardis Ferry Road} since I have been familiar with the same since 1944 and until the present date.

I have conveyed portions of said NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19, Township 21 South, Range 1 East, lying North of said Mardis Ferry Road, but have retained ownership of the following described parcel:

Begin at the NW corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, Township 21 South, Range 1 East; thence run South along the West line of said quarter-quarter section a distance of 689.80 feet to the North right of way line of a County Highway; thence turn an angle of 107 deg. 29 min. to the left and run along said right of way line a distance of 200.98 feet to the P.C. of a right of way curve; thence continue along said right of way curve (whose Delta Angle is 4 deg. 45 min. to the left, Radius is 5,686.44 feet, tangent distance is 236.67 feet, length of arc is 471.42 feet) to the P.C.C. of said curve; thence turn an angle of 110 deg. 03 min. to the left from tangent of said curve, and run a distance of 280.27 feet; thence turn an angle of 44 deg. 55 min. to the left and run a distance of 184.00 feet; thence turn an angle of 89 deg. 12 min. to the right and run a distance of 240.00 feet to the North line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19; thence turn an angle of 90 deg. 48 min. to the left and run West along the North line of said quarter-quarter section a distance of 249.00 feet to the point of beginning. Situated in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, Township 21 South, Range 1 East, Shelby County, Alabama, according to survey of Frank W. Wheeler, Registered Land Surveyor, dated September 23, 1969.

There is on said parcel which I have retained a framehouse, garage, barn, and water well, all of which have been situated on said property since June, 1944, except the garage, which I built some five years ago.

There was formerly a 20 foot easement for a road leading from the present Mardis Ferry Road along the East line of the above described property, but said road has now been closed and the easement for said road has been conveyed to me by my son and his wife, Elbert W. Gibson and wife, Hazel Louise Gibson, as shown by deed recorded in Deed Book 260 at page 478, Office of Judge of Probate of Shelby County, Alabama.

I am this date conveying all of the above described property, not subject to said 20 foot easement for road, to Lewis Embry Gowers.

The following described parcel, formerly owned by me, but now owned by my son, Elbert W. Gibson and his wife, Hazel Louise Gibson, viz.:

A lot in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, Township 21 South, Range 1 East, Shelby County, Alabama, described as follows:

Commence at the NW corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, Township 21 South, Range 1 East;

thence run East, along the North line of said quarter-quarter section, a distance of 249.00 feet to the point of beginning; thence continue East, along the North line of said quarter-quarter section, a distance of 609.93 feet; thence turn an angle of 65 deg. 45 min. to the right and run a distance of 289.06 feet to the North right of way line of a County Highway; thence turn an angle of 85 deg. 48 min. to the right and run along said right of way line a distance of 44.30 feet to the P.C. of a right of way curve; thence continue along said curve (whose Delta Angle is 3 deg. 25 min. to the right, Radius is 5,686.44 feet, Tangent Distance is 170.42 feet, Length of Arc is 339.09 feet); thence turn an angle of 67 deg. 57 min. to right, from Tangent of said curve, and run a distance of 280.27 feet; thence turn an angle of 44 deg. 55 min. to the left and run a distance of 184.00 feet; thence turn an angle of 89 deg. 12 min. to the right and run a distance of 240.00 feet to the point of beginning. Situated in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 19, Township 21 South, Range 1 East, Shelby County, Alabama, according to survey of Frank W. Wheeler, Registered Land Surveyor, dated November 24, 1969.

Said property was conveyed by me in two parcels, one to Oscar Davis and wife, Nora Davis, in 1961, as shown by deed recorded in Deed Book 215 at page 632 in said Probate Office, and the other parcel thereof being conveyed by me to my son and his wife, W. E. Gibson and wife, Oma Ray Gibson, in 1964, as shown by deed recorded in Deed Book 231 at page 423. Said Oscar Davis and wife subsequently conveyed the portion of said property which they had acquired from me to my said son, W. E. Gibson and wife, Oma R. Gibson, in April of this year, and my said son and his wife, said W. E. Gibson and wife, Oma R. Gibson, then subsequently conveyed all of said property, together with rights which they had acquired under lease from said Elbert W. Gibson and wife, Hazel Louise Gibson, by survivorship warranty deed to said Elbert W. Gibson and wife, Hazel Louise Gibson, in August, 1969.

I know of my own personal knowledge that I, and my successors in title, as designated above, have been in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of both of the parcels of real estate more particularly described above in this affidavit since I first

bought said property in January, 1944, until the present date.

E. L. Gilman

Sworn to and subscribed before me this the 6th day of December,
1969.

William A. Hunt

Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1969 DEC 17 AM 10:52
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Conrad J. Anderson
JUDGE OF PROBATE