

STATE OF ALABAMA)

SHELBY COUNTY)

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

My name is Lillian M. Dollar and I am the widow of J. J. Dollar, Deceased. I have been familiar with the occupation, use, and possession of the hereinafter described property for a period in excess of twenty years, said property is situated in Shelby County, Alabama, and is more particularly described as follows, to-wit:

PARCEL NO. I: The SE $\frac{1}{4}$, The E $\frac{1}{2}$ of the SW $\frac{1}{4}$ and 10 acres off the South end of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ described as follows: Begin at the SW corner of said SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and run North $\frac{1}{2}$ chains and 14 links to a rail fence; thence East 7 deg. South along a rail fence 10 chains and 27 links; thence South 7 deg. East along rail fence to quarter section line; thence West along quarter section line 9 chains and 70 links to point of beginning. All of said property lying in Section 9, Township 21 South, Range 3 West.

Also, the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 16, Township 21 South, Range 3 West.

Also, the following described property: Beginning at the SE corner of D. B. Lacey's land at an iron stob; thence along a wire fence to the creek 3 chains; thence along said Creek 8 chains and 33 links to the North boundary of Cora Harris' land; thence East 1 chain and 44 links to the quarter section line; thence North along said quarter section line 8 chains to the point of beginning, being and lying on the East side of Beaver Dam Creek and on the East side of the West $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 9, Township 21 South, Range 3 West.

PARCEL NO. II: Also, the following described property: Beginning at an iron stob near the old spring on the Elyton and Montevallo Road, run South along said road 2 chains and 20 links, including the cedar lane on both sides; thence East 3 chains and 30 links to Beaver Dam Creek; thence North along said Beaver Dam Creek 2 chains and 92 links; thence West 3 chains and 42 links to the point of beginning, containing 2 acres more or less, said land lying and being in the NE $\frac{1}{4}$ of the S $\frac{1}{2}$ of W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 9, Township 21 South, Range 3 West.

The above described Parcels No. 1 and Parcel No. 2 were conveyed to affiant and affiant's husband J. J. Dollar on July 14, 1948, by deed recorded in Deed Book 134, page 281, in the Probate Records of Shelby County, Alabama. Immediately after the execution of said deed affiant and affiant's said deceased husband J. J. Dollar went into the actual, open, exclusive, notorious, hostile, continuous possession of both Parcel No. 1 and Parcel No. 2 described above. Affiant and her said deceased husband remained in possession for each and every year from July 14, 1948, up to and including the date of this affidavit, with the exception of a brief period of time in 1955 and 1956 while the property was owned by John T. Wallace. Actually, on February 24, 1955, affiant and her said deceased husband conveyed the property in question to John T. Wallace and he, in turn, executed a purchase money mortgage in favor of affiant and her said deceased husband. It was decided by Mr. Wallace to re-convey the property to affiant and her said deceased husband in 1957 and a

deed was executed on December 26, 1957, re-conveying the property to J. J. Dollar and Lillian M. Dollar.

My said deceased husband and I did not have the property in question surveyed before or subsequent to our purchase in 1948, but recently we have had Parcel No. 2 described above surveyed and the correct legal meets and bounds description of said Parcel No. 2 as described above is as follows:

This parcel of property located in Shelby County, Alabama, also located in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 9, Township 21 South, Range 3 West. This parcel of property described as follows, beginning at the SE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 9, Township 21 South, Range 3 West, thence run West along South line of said section for a distance of 461.75 feet; then turn an angle of 66 deg. 15' 20" to the right for a distance of 387.6 feet; then turn an angle of 26 deg. 42' 20" to the right, for a distance of 282.5 feet; then turn an angle of 7 deg. 50' to the right for a distance of 405.10 feet; then turn an angle of 3 deg. 00' to the right for 146.64 feet to point of beginning, this point being on the East R.O.W. of Shelby County Highway No. 17; then turn an angle of 85 deg. 00' to the right for a distance of 334.70 feet to West bank of Beaver Dam Creek; then turn an angle of 44 deg. 59' to the right running South along West bank of Beaver Dam Creek for a distance of 66.29 feet; then turn an angle of 47 deg. 12' to the right running South along West bank of Beaver Dam Creek for a distance of 128.3 feet this point being on the West bank of Beaver Dam Creek, also 12.0 feet South of the center line of Cedar Lane; thence turn an angle of 91 deg. 52' to right, running along South line of Cedar Lane for a distance of 388.65 feet to a point on the East R.O.W. of Shelby County Hwy. #17 also 12.0 feet South of center line of Cedar Lane; then turn an angle of 91 deg. 00' to the right for a distance of 146.64 feet to said point of beginning.

This parcel of property located in Shelby County, Alabama, also located in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 9, Township 21 South, Range 3 West. This parcel of property described as follows, beginning at a point 146.64 feet North of the South line of Cedar Lane also the East R.O.W. of Shelby County Highway No. 17, then run in a Northorly direction for a distance of 65.0 feet to a cross fence, thence run in an Easterly direction down said cross fence for a distance of 330.0 feet more or less to the West bank of Beaver Dam Creek, then run South along West bank of Beaver Dam Creek for a distance of 100.00 feet more or less, thence run West 334.70 feet to point of beginning.

Actually, Parcel No. 2 as last described has been in the continuous, exclusive, notorious, adverse and hostile possession of affiant and affiant's deceased husband prior to his death for each and every year from July 14, 1948, up to and including the date of this affidavit with the exception of a brief period of time when the same was owned and possessed by John T. Wallace as aforesaid. Shortly after said Parcel No. 2 was purchased by affiant and her said deceased husband in 1948, and within a few months from the date of said purchase, affiant and her said deceased husband began the construction of a fence surrounding said Parcel No. 2. The fence was completed within one year from July 14, 1948, and for each and every year from that time up to and including the date of this affidavit the same has been used for the purpose of grazing cattle and, during some years, cutting hay there from. The property was also so used by John T. Wallace during the two years or so he owned the property. I remember specifically that during these years my husband and I were raising cattle and running a cattle farm operation on Both Parcel No. 1 and Parcel No. 2 as first described above, and said Parcel No. 2 is described last above, and we

would use Parcel No. 2 as last described above as a "holding lot" for cattle. When we would receive new cattle into the herd we would place them in this holding lot until they could be cleared and tested for bangs disease or other similar diseases which might be communicated to the rest of the herd. Off and on over the years since 1948, we have kept the cleared portions of said Parcel No. 2 as last described above mowed and in neat order to prevent the undue growing of trees and weeds thereon. During the more than twenty years I have known the occupation, use and possession of Parcel No. 1 and Parcel No. 2 as first described and as described last above, the same has been in the continuous, exclusive, notorious, hostile and adverse possession of affiant and her said husband prior to his death and John T. Wallace for a brief time as outlined above. There have never been any disputes whatsoever concerning the occupation, use and possession of the said property and I have never heard the title questioned or disputed in any way to either Parcels No. 1 above or Parcel No. 2.

I am familiar with the location of that certain piece of property which was conveyed from D. B. Lacey and wife, Virginia E. Lacey to R. E. Lacey and wife, Kate Lacey on October 27, 1944, which is recorded in Deed Book 119, page 405, in the Probate Records of Shelby County, Alabama. There is no overlap created by the property so conveyed on the property which is owned by affiant as described above and there has never been any disputes concerning the location of the same.

I understand that there is of record in the Probate Office a deed from D. B. Lacey and wife, Virginia E. Lacey to Eugene F. Lacey dated March 27, 1956, and recorded in Deed Book 180, page 320, in the Probate Records of Shelby County, Alabama. I also know that there is no overlap on my property created by said deed and there has never been any question or disputes concerning this.

I further understand that there was a deed from Myron E. Jones and others to W. Gray Jones and wife, Margaret F. Jones recorded in Deed Book 238, page 848, in the Probate Records of Shelby County, Alabama, and also a deed from Myron E. Jones and others to Myron E. Jones and wife, Nina R. Jones recorded in Deed Book 238, page 854, in the Probate Records of Shelby County, Alabama. Neither the grantors nor the grantees in any of the deeds mentioned in this paragraph, jointly or severally, have ever asserted any right, title or interest in and to the property which I own and these deeds contained an error in description insofar as it described any portion of the property which I own as described first above. There are also, I understand, deeds from Myron E. Jones and wife, Nina R. Jones to Evelyn J. Riley and husband, Oscar L. Riley, Jr. recorded in Deed Book 238, page 850, in the Probate Records of Shelby County, Alabama, and a deed executed by Myron E. Jones and wife, Nina Jones, and others, to J. O. Jones, Jr. and wife, Macie H. Jones,

recorded in Deed Book 238, page 852, in the Probate Records of Shelby County, Alabama. Neither the grantors nor the grantees in said deed own or have ever claimed any right, title, or interest in and to the property which I own as described in this affidavit. There have never been any disputes whatsoever concerning the same and these deeds described contained errors in their description insofar as the same described any portion of the property which I own as alleged in this affidavit.

I understand that Jack Lacey and wife, Myra Lacey executed a transmission line permit in favor of Alabama Power Company which granted to said Company the right to establish lines over the entire NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 9, Township 21, Range 3 West. Said transmission line permit contained an erroneous description insofar as it described that portion of said $\frac{1}{4}$ $\frac{1}{4}$ Section which I own as alleged in this affidavit. Neither Jack Lacey nor his wife Myra Lacey have ever claimed any right, title, or interest in and to any portion or part of the property which I own as stated above and there have never been any disputes whatsoever concerning the same.

I understand also that there is a deed of record from Eugene F. Lacey and wife, Mary Ellen Lacey conveying certain property to Forest E. Lacey and wife, Ethel Nelson Lacey which deed is recorded in Deed Book 257, page 1, in the Probate Records of Shelby County, Alabama. Neither the grantors nor the grantees there have ever asserted any right, title or interest in or to any portion or part of the property which I own as alleged above and there have never been any disputes whatsoever concerning the same.

Lillian M. Dollar
Lillian M. Dollar

Sworn to and subscribed before me
this 26 day of January, 1970.

Frank Allen
Notary Public

STATE OF ALABAMA)

SHELBY COUNTY)

Before me, the undersigned authority, a Notary Public in and for said County and State, personally appeared E. S. Cannon, who, after being by me first duly sworn to speak the truth, deposes and says as follows: My name is E. S. Cannon and I have read the above and foregoing affidavit of Lillian M. Dollar and have knowledge of the facts and matters there stated and know and state that the facts and matters stated in said affidavit are true and correct.

E. S. Cannon
E. S. Cannon

Sworn to and subscribed before me
this 26th day of January, 1970.

Paul L. Cannon
Notary Public

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SHELBY COUNTY
INDEPENDENT WASH. ILL.
JAN 26 1970
REC. SK. & F. 13
U.C. FILE 13
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