

3845
STATE OF ALABAMA

SHELBY COUNTY

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

My name is Joe DeBardleben. I am 31 years of age and have lived in Calera some 45 to 50 years and have all along been well acquainted with the property regarding Lots 1 - 15 in Block "F" according to resurvey of Russell R. Hetz property described in the affidavit of P. K. Ruddy and have been familiar with the persons in possession of the same. I have heard him give the information for his affidavit regarding said land. I remember when Mr. & Mrs. Ruddy bought the land they cleaned the hedgebriars therefrom. I remember his selling off the lots as mentioned in his affidavit and know their ownership and activities and how they used the lots throughout the years. I know the matters and things set out in his affidavit are true and correct.

In connection with the following described land which is known as the McKibben property, I make the following affidavit. Said land being described as follows:

Beginning at the southeast corner Section 20, Township 22 South, Range 2 West, Fractional Section, and run thence north on and along the section line 235 feet to a point; said point being the P.C.B. of the lot herein described; from said point as P.C.B. run thence north 60 deg. 09 min. East 102.33 feet to a point; run thence north and parallel to the east R.O.W. of 13th Street a distance of 422 feet to a point; run thence west and at right angles to said 13th Street for 443 feet to a point; run thence north and parallel to said 13th Street for 191 feet to a point; run thence west and at right angles to said 13th Street for 427 feet to a point; run thence south and parallel to said 13th Street for 304 feet to a point; run thence west and at right angles to said 13th Street for 350 feet, more or less, to a point on the east R.O.W. of a public road; run thence south 9 deg. east on and along said east R.O.W. of public road for 415 feet to a point; thence continue to run south 20 deg. 51 min. east for a distance of 200 feet to a point; run thence north 60 deg. 09 min. East 253.02 feet back to the P.C.B., lying and being in the SE $\frac{1}{4}$ of Section 20, Township 22 South, Range 2 West and the SW $\frac{1}{4}$ of Section 21, Township 22 South, Range 2 West, Shelby County, Alabama, and containing 19.45 acres, more or less.

When I came to Calera some 45 to 50 years ago, the McKibbons had a fence around all the above described land. The fence was a very old fence at that time and they kept patching the fence. The southeasterly portion of the McKibben property adjoins and runs along a ditch which runs along the northwesterly line of the Aldridge and Bird, Crim and Stone property. The ditch plays out as it gets along the east end. Affiant says the westerly portion of said property adjoins a public gravel road. There were two houses pretty close to the old road and one of them was down down and I remember there used to be an old syrup mill there. The other house is still there, but about to fall down. There is a hedgerow

along the north line of the property which marks the north line of the McKibbon property as it now lies and divides ^{it from} the old Willis Pilgreen land, which is now known as the Cora Lee Martin property. There were surveyed markers marking the east line of the Pilgreen land where it adjoins the McKibbon land. Along the north line, there is an old fence running along the line, the remains of which can still be seen and the Crim property lies north of it and the fence also divides the Swann property from the McKibbon land. There is also an old fence row that marks a line which is shown to be 191 feet south of the Swann property. There is pointed out to me one of the north lines of the McKibbon property runs east and west and runs 143 feet to the west line of Block "3" of Hetz Survey. There is no fence there, but it appears to be a definite line because of use of the same which separates the property. Said McKibbon land then ran along the west line of Block "3" of Hetz Survey and which was formerly known as Dunstan's survey down to the north line of the lots mentioned in the beginning of this paragraph. Jarrett Wood farmed this land for McKibbon for some 15 years. McKibbon died and left that land to his niece, Celeste Timothy and it is my understanding, she was the sole heir of McKibbon. She lived in Birmingham ^{or somewhere else} but claimed the land until her death recently. I know the old fence remained from the time I first knew the land until this very day and the remains are still visible in many places. I have never heard of anyone disputing the title or possession of the McKibbons, or Mrs. Timothy or her heirs or devisees.

Dated this 27th day of February, 1970.

Martha B. Jarrett
Dorothy Cannady

Joe DeBardeleben
Joe DeBardeleben

Sworn to and subscribed to before me on

this the 27th day of February, 1970.

Martha B. Jarrett
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1970 JUL 17 PM 2:51
U.C.C. FILE NUMBER 03
REC. BK. & PAGE AS SHOWN ABOVE
CONFIDENTIAL
JUDGE OF PROBATE