

522

STATE OF ALABAMA)

SHELBY COUNTY)

Before me, L. E. Parker, a Notary Public, in and for the State of Alabama at Large, personally appeared Homer J. Walton, who being by me first duly sworn, deposeth and saith as follows:

My name is Homer J. Walton. I am over the age of 21 and reside in Shelby County, Alabama, in the vicinity of the land described hereinbelow. I have been familiar with this land and have known its possessors all during the past 30 years or more. This land is best described as follows:

A tract or parcel of land situated in the northwest quarter of northwest quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 26, Township 21 south, Range 1 west, Shelby County, Alabama and being more particularly described as follows:

Commence at the northwest corner of Section 26, Township 21 south, Range 1 west and run south 01° 44' east along the west boundary line of said Section 26 a distance of 849.71 feet to a point on the north right of way line of an existing County Highway; thence turn an angle to the left of 124° 09' and run in a northeasterly direction and along the north right of way line of said County Highway a distance of 257.70 feet to a point; said point being the point of beginning and the southwest corner of the land hereby conveyed;

Begin at the point of beginning and continue in a northeasterly direction along the north right of way line of said County Highway a distance of 165.55 feet to a point; thence turn an angle to the left of 55° 51' and run north 1° 44' west a distance of 121.03 feet to a point; thence turn an angle to the left of 90° 00' and run west a distance of 137.00 feet to a point; thence turn an angle to the left of 90° 00' and run south 1° 44' east a distance of 213.96 feet to the point of beginning.

I know that the above-described land was once owned by W. D. Bearden and W. E. Price and was conveyed to the town of Columbiana in about 1933, and has remained in the sole possession of the town or city of Columbiana, Alabama from about 1933 up until the present time.

I know that the hereinabove described land was purchased as part of a large tract of land for use as a city airport. Runways, a hanger and other buildings were constructed on portions of this large tract of land. A portion of this large tract was used for the construction of a swimming pool and recreation area. There was no actual construction on or particular use of the hereinabove described parcel of land, but this parcel was used in connection with governmental operations of the town or city of Columbiana.

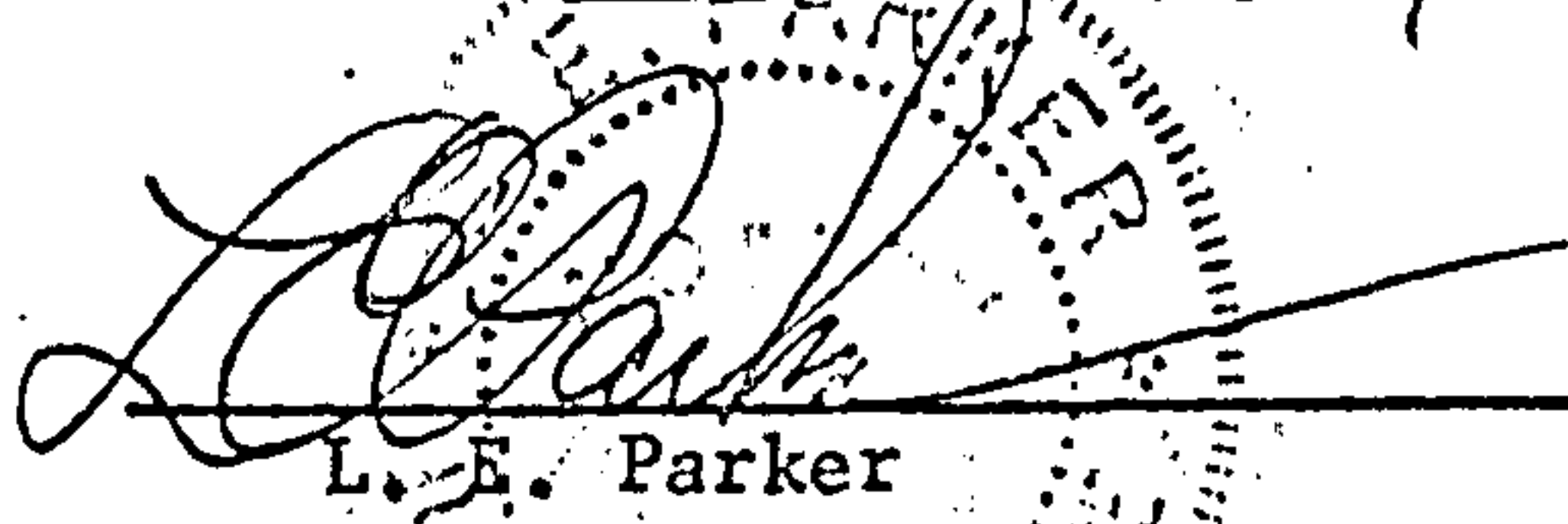
I know that the town or city of Columbiana and its predecessors in title have been in the actual, continuous and exclusive possession of the hereinabove described land for more than 30 years and their possession has been visible, open, hostile and notorious. I know that the deeds through which the town or city of Columbiana has claimed title since about 1933, has been of record in the probate office of Shelby County, Alabama for more than 30 years. I know that the town or city of Columbiana has granted rights of way for roads and power lines across portions of this large tract of land and have conveyed a portion of this large tract of land to the State of Alabama for use as a school bus storage and repair shop.

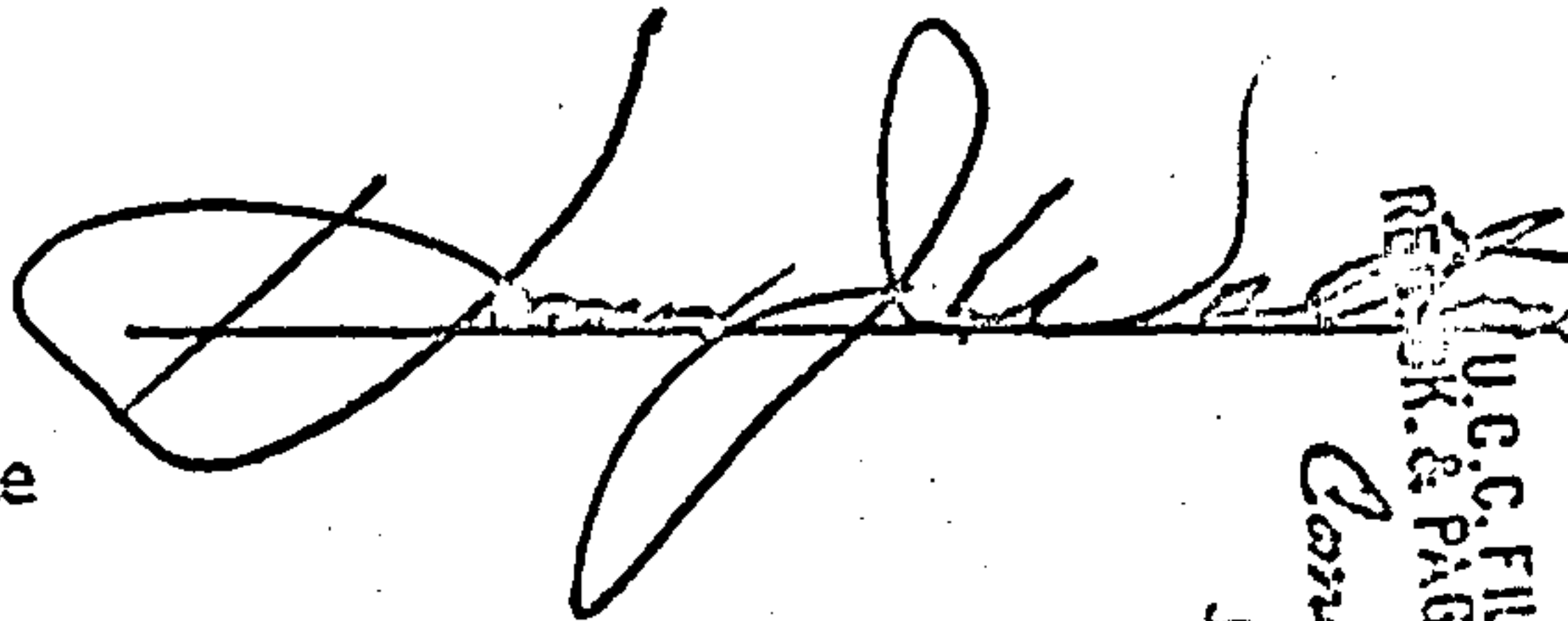
I more particularly know that no portion of the hereinabove described land has ever been conveyed from the town or city of Columbiana Alabama since it was acquired in about 1933. Nor have any road easements ever been granted over any portion of this land, nor has this land ever been used as a road. More specifically, the hereinabove described parcel of land has never been used by the State of Alabama or the school bus shop for ingress and/or egress.

My knowledge of the hereinabove described land dates back prior to 1924 and I was well familiar with the land while serving on the council of the town of Columbiana from about 1932 until 1940. During my terms of office of councilman, the municipal corporation changed from a town to the city of Columbiana, Alabama and in 1940 I was elected mayor of the city of Columbiana, Alabama and served two terms, leaving office in 1948.

I know of no person, persons, corporation or other political subdivision claiming any right to any portion of the hereinabove described land or disputing the possession of this land by the town or city of Columbiana, Alabama during the past 30 years, or more.

Sworn and subscribed to before me
this the 23 day of Oct, 1970.


L. E. Parker



U.C.C. FILE NUMBER OR
BOOK & PAGE AS SHOWN ABOVE
Cora J. Parker
JUDGE OF PROBATE

1970 NOV -6 PM 2:59

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED