

A F F I D A V I T

STATE OF ALABAMA

SHELBY COUNTY

Before me, Durward M. Hargis, a Notary Public in and for said County, in said State, personally appeared Edythe Hartley who being by me first duly sworn, deposes on oath and says as follows:

I am presently 59 years of age and reside in Montevallo, Alabama. I came to Montevallo in about 1931 and in 1933 was employed by J. A. Brown, Sr. Subsequently I was employed by J. A. Brown, Jr. (sometimes known as Jadie A. Brown, Jr.) and I am presently employed and have been employed by Brown Moulding Company, Inc. as a bookkeeper since its incorporation in 1959. Thus, since 1933 I have been continuously employed by Messrs Brown, Sr. and Brown, Jr. and Brown Moulding Company, Inc. as a bookkeeper. During this entire time I have been thoroughly familiar with the plant site now occupied by Brown Moulding Company, Inc. described as follows:

A part of the NW $\frac{1}{4}$ of fractional Section 3, Township 24 North, Range 12 East, described as follows: Begin at the intersection of East side of Shelby Street, in the Town of Montevallo, Alabama, with North border of Southern Railway and go N 17° 02' W and along the East border of Shelby Street 18 feet, thence continue along this border N 17° 44' E, 139.47 feet, thence N 41° 07' E, 100.04 feet to South border of Highway 12, thence continue along this border N 68° 39' E, 126.05 feet, thence N 73° 20' E, 200 feet, thence N 80° 19' E, 149.91 feet, thence N 88° 59' E, 200 feet, thence S 85° 00' E, 123 feet, thence S 80° 31' E, 169.18 feet to intersection with North border Southern Railway, thence along this border S 72° 52' W, 1100 feet to beginning.

When I first saw said plant site there was a cotton gin and warehouse located on the west end of the property adjacent to Shelby Street and the Southern Railway Company's right of way. Mr. J. A. Brown, Sr. owned and operated the gin and warehouse and I worked for him in connection with the operation of these businesses. I also recall that when I first came to Montevallo in 1931, the residence of W. L. Brown was located on the tract of land lying immediately east of the gin and warehouse property. W. L. Brown and his family occupied this residence until about 1950 or 1951 at which time the family moved and began renting said residence. W. L. Brown died about 1953, and his widow continued to rent said residence to various tenants until about 1963 when the house became vacant. It remained vacant until April of 1964

when said widow, Mrs. Della M. Brown, sold and conveyed the property to the Exchange Security Bank and Mary Lee Garrett Brown as trustees under three trusts created by Jadie A. Brown, Jr., by deeds recorded in the Probate Office of Shelby County in Deed Book 230, at pages 316, 318 and 320, respectively.

I also recall that when I first came to Montevallo a railroad section house was located on the property of the Southern Railway Company situated immediately east of and contiguous to the W. L. Brown residence property referred to above. This house was then occupied by Mr. C. S. Starr, Section Foreman for said Railway. Mr. Starr and his family occupied this section house continuously until his death in about 1948 and shortly thereafter said Railway Company sold and conveyed this property to Herbert Otis Milstead by deed recorded in said Probate Office in Deed Book 207, at page 138. A short while later Mr. Milstead sold and conveyed this property to L. C. Parnell by deed recorded in said Probate Office in Deed Book 138, at page 597. I recall that Mr. Parnell rented this property to various tenants until he sold it to J. A. Brown, Jr. in May of 1964 by deed recorded in said Probate Office in Deed Book 230, at page 380. Mr. Brown then had the section house torn down and constructed the shaving storage house now located on said property. In 1965 Mr. Brown conveyed said property, together with the old cotton gin and warehouse site above referred to, to Exchange Security Bank and Mary Lee Garrett Brown as trustees under said three trusts created by him as aforesaid.

Since 1933 I have also been familiar with an additional parcel of land comprising the west end of the plant site now occupied by Brown Moulding Company, Inc. This is the parcel conveyed by Jack L. Hall and wife to the Exchange Security Bank and Mrs. Brown as trustees as aforesaid by deeds dated February 3, 1965 and recorded in said Probate Office in Deed Book 234, at pages 195, 197 and 199, respectively. When I first knew of this property it was owned by Mrs. C. S. Starr and had a frame house on it. Mrs. Starr sold and conveyed the property to Mr. and Mrs. R. B. Galloway by deed recorded in said Probate Office in Vol. 116, Record of Deeds, page 557 and the Galloways subsequently built two small concrete block houses on the property which they rented. The front yard of the two houses was taken as a part of the right of way for a new road and these houses largely remained vacant from that time on. The Galloways sold and conveyed said parcel to J. L. Hall by deed dated January 16, 1965 and recorded in said Probate Office in Deed Book 234, page 190 and as stated above, Jack L. Hall sold and conveyed said parcel to Exchange Security Bank and Mrs. Brown as trustees in the same year.

During the entire time that I have been familiar with the parcels of property comprising the plant site presently occupied by Brown Moulding Company, Inc., Brown Moulding Company, Inc. and its predecessors in title have held open, notorious, continuous and exclusive possession of said property under claim of ownership and adverse to the entire world. I have never known of anyone other than the owners described in the foregoing affidavit having been in possession or claiming any right of possession or interest in the property adverse to said owners described above. I specifically know that neither V. L. Hubbard, John T. Ellis, H. E. Oldham, Cora Oldham, H. C. Reynolds nor W. B. Reynolds have ever been in possession of any part of said plant site since 1933.

Evelyn H. Hartley
Affiant

Sworn to and subscribed before me

this 24 day of April, 1970.

Harold W. Varner
Notary Public



STATE OF ALA. SHELBY CO.
CERTIFY THIS
INSTRUMENT WAS FILED
1970 DEC 18 PM 1:35
UCC FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Conrad H. Bunker
JUDGE OF DISTRICT