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State of Alabama

Shelby County

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

My name is Kenneth Cunningham. I am 67 years of age and since the early 1920's I remember the hereinafter described lot and the persons in possession of it. Said lot being described as follows:

A part of Block No. 3 of Seaman D. Brown Survey of Montevallo, Alabama, described as follows: Commence at the intersection of the southwest line of Cedar Street and the southeast line of Commerce Street and run in a southeasterly direction along the southwesterly line of Cedar Street a distance of 154 feet to point of beginning; thence continue along the westerly line of Cedar Street a distance of 54 feet; thence turn an angle to right and run westwardly direction 161 feet; thence turn an angle to right and run in a northerly direction parallel with Cedar Street for 54 feet; thence turn an angle to right and run in an easterly direction parallel with Commerce Street a distance of 161 feet to the point of beginning; situated in Shelby County, Alabama.

I recall the above described lot when Brown Brothers Manufacturing Company owned the same and know the Company purchased it from F. W. Rogan and wife in the year 1921. It is my recollection the Browns began business operations in the town of Montevallo about the year 1910 and that said Brown Brothers Manufacturing Company was composed of C. V. Brown, J. A. Brown and Minnie F. Houlditch. It is called to affiant's attention that in January 1927, C. V. Brown and others conveyed said land to Brown Oil Company, a corporation, and it conveyed the land to C. V. Brown in 1929, as shown by Deed Book 33 page 279 in Probate Office of Shelby County, Alabama. I did not know the details of these deeds and the conveyances back and forth among the members of the Brown family, but I did know they owned the land during all this time, and were in the actual possession of the same. I did know that C. V. Brown purchased the land and I know that he never married and died intestate on July 3, 1933 and left as his sole and surviving heirs at law the following: W. L. Brown, J. A. Brown, Ed M. Brown, L. M. Brown and Minnie F. Houlditch. It is called to my attention that in 1933 his heirs conveyed the above described land to Minnie F. Houlditch, as shown by Deed Book 105 page 139 in said Probate Office.

A garage was built on this lot about the year 1923 and I recall that Mrs. Houlditch used the same as a car garage each and every year until Mr. Houlditch died about the year 1964 and then she sold the car, but she continued to use the garage to store other personal property until her death approximately a year ago. She was living in a house nearby at the time of her death. There is a ditch running along the northerly side of said lot and a fence along the southeasterly side of

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the lot and part of it are still in place. The garage mentioned does not cover the full lot, but she had the entire lot in possession.

Throughout all the years the Browns have owned said lot and Mrs. Houlditch I have never heard of anyone disputing their title or contesting the possession of the same.

Kenneth Cunningham
Kenneth Cunningham

Sworn to and subscribed to before me on this the 7th day of October, 1970.

Louis N. Allen
Notary Public

State of Alabama
Shelby County

Before me, the undersigned authority in and for said county and state personally appeared J. A. Brown, Jr., who, after being by me first duly sworn to speak the truth, deposes and says:

My name is J. A. Brown, Jr. I am 50 years of age and am familiar with the matters and things hereinabove set out in the affidavit of Kenneth Cunningham and I recall the details of the transactions among the Browns mentioned therein and know the same to be correct. After Mr. Houlditch died, I helped Aunt Minnie Houlditch look after her business affairs and have personal knowledge of the facts set out.

There has been called to my attention a deed from Richard Louis Campbell and wife to Emma C. Bailey dated June 30, 1921, recorded in Deed Book 63 page 420 in said Probate Office, covering certain property. I know the ditch lies north of the above described land and the deed did not cover any property which would overlap on the Houlditch lot described above.

J. A. Brown Jr.
J. A. Brown, Jr.

Sworn to and subscribed to before me on this the 7th day of October, 1970.

Louis N. Allen
Notary Public

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NOTARY PUBLIC
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