

2443

STATE OF ALABAMA

SHELBY COUNTY

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

My name is Kathleen A. Turner. I am over 21 years of age and am familiar with the hereinafter described property:

A part of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 and a part of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 14, all in Township 19 South, Range 2 West, more particularly described as follows:

From the northeast corner of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23, Township 19 South, Range 2 West run east along the north boundary line of said Section 23 a distance of 354.4 feet to the point of beginning of the land herein described; thence turn an angle of 41 deg. 57 min. to the right and run 20.9 feet; thence turn an angle of 36 deg. 15 min. to the right and run 611.06 feet; thence turn an angle of 33 deg. 22 min. to the left and run 162.02 feet; thence turn an angle of 1 deg. 57 min. to the right and run 103.42 feet; thence turn an angle of 73 deg. 26 min. to the right and run 270.65 feet, including the area between the last two points and the center line of Bishop Creek; thence turn an angle of 133 deg. 41 min. to the right and run 509.33 feet; thence turn an angle of 42 deg. 20 min. to the left and run 323.75 feet; thence turn an angle of 27 deg. 20 min. to the left and run 150.7 feet; thence turn an angle of 12 deg. 44 min. to the right and run 224.44 feet; thence turn an angle of 3 deg. 10 min. to the left and run 302.12 feet; thence turn an angle of 2 deg. 04 min. to the right and run 225.73 feet; thence turn an angle of 36 deg. 02 min. to the right and run 134.63 feet; thence turn an angle of 1 deg. 42 min. to the right and run 334.72 feet; thence turn an angle of 3 deg. 32 min. to the right and run 574.25 feet; thence turn an angle of 00 deg. 44 min. to the right and run 257.8 feet; thence turn an angle of 6 deg. 16 min. to the left and run 31.4 feet; thence turn an angle of 36 deg. 14 min. to the left and run 135.3 feet; thence turn an angle of 2 deg. 37 min. to the right and run 194.5 feet; thence turn an angle of 3 deg. 53 min. to the right and run 241.5 feet; thence turn an angle of 5 deg. 25 min. to the left and run 338.54 feet; thence turn an angle of 36 deg. 45 min. to the right and run 220.92 feet; thence turn an angle of 22 deg. 14 min. to the right and run 1317.26 feet; thence turn an angle of 49 deg. 56 min. to the left and run 136.45 feet; thence turn an angle of 37 deg. 21 min. to the left and run 175.6; thence turn an angle of 37 deg. 02 min. to the right and run 371.76 feet; thence turn an angle of 1 deg. 57 min. to the right and run 40.4 feet, more or less, to the point of beginning; situated in Shelby County, Alabama.

My father owned all of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ North of the Cahaba Valley Road as well as some lots Southeast of the Cahaba Valley Road, all of which adjoining the Denson property, as well as the Sorrell property. He also owned the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ on both sides of Bishop Creek, and he owned part of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ adjoining the property now owned by the Densons and also owned all of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23 other than what the DeShazos owned and which is now owned by the Denson Estate. My father also owned that part of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 14 now owned by the de la Torres, now known as the de la Torre property. He also owned that part of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 14 and that part of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 14, all in Township 19 South, Range 2 West, which is now known as the de la Torre property. His father, James M. Allen, Sr. made him a deed to the land on June 29, 1907, to said de la Torre land and other land as shown

81
BOOK 267 PAGE



1971040800013250 1/2 \$.00
Shelby Cnty Judge of Probate, AL
04/08/1971 12:00:00 AM FILED/CERT



19710408000013250 2/2 \$.00
 Shelby Cnty Judge of Probate, AL
 04/08/1971 12:00:00 AM FILED/CERT

by deed recorded in Deed Book 34, page 542 in the Probate Office of Shelby County, Alabama. At the time said deed was made to my father, being James M. Allen, Jr., he went into immediate possession of the land and occupied it and farmed portions of it and used it for pasture until his death. There was a house on part of the de la Torre land situated Northwest of Spring Branch which is still there and he rented it out to tenants each and every year. My father died on July 24, 1952, and willed said land, along with other land to my mother, Jessie Allen. His will was signed in the name Jim Allen, being one and the same as James M. Allen, Jr., and my mother continued in the possession of said land as my father had before her until January 14, 1954, when she conveyed said de la Torre land, which is described in the beginning of this affidavit, to my sister, Julia A. Finch and her husband, John Ed Finch as shown by Deed Book 164, page 213 in said Probate Office. The said Julia A. Finch and John Ed Finch went into immediate possession of said land until they sold the same to Harry G. de la Torre and his wife on March 15, 1960, as shown by deed recorded in Deed Book 203, page 90 in said Probate Office. The said de la Torres went into immediate possession of said land and had the same surveyed and I have seen a copy of the survey made by Alton Young in March of 1960 and I understand that the property surveyed is that described in the beginning of this affidavit. The said de la Torres rented the tenant house out to someone each and every year and have been in the actual possession of the same until this very day. It is called to my attention that on June 11, 1960, my sister, Julia A. Finch and her husband, John Ed Finch executed a corrective deed to Mr. and Mrs. de la Torre as shown by deed recorded in Deed Book 287, page 660 in the Probate Office of Shelby County, Alabama, for the purpose of correcting the defective description in the deed from the Finchs to the de la Torres dated March 15, 1960, and I am informed that it is the same land described in the survey mentioned above.

Throughout all the years I have known said property, I have not known of anyone contesting the title or disputing the possession of the de la Torre or the persons through whom they claim title.

Sworn to and subscribed to before
 me this 22nd day of March, 1971.

Martha B. Joiner
 Notary Public

Kathleen A. Turner
 Kathleen A. Turner

STATE OF ALABAMA
 COUNTY OF SHELBY
 JUDGE OF PROBATE
 1971 APR - 8 PM 3:31
 RECEIVED AT THE OFFICE OF THE JUDGE OF PROBATE
 DEPT. OF REVENUE
 1000 W. WALKER ST. BIRMINGHAM, ALA. 35203

82
 APR 11 1971