

STATE OF ALABAMA)

SHELBY COUNTY)

Before me, the undersigned authority a Notary Public in and for said County, in said State, personally appeared BERNICE BROTHERS VALENTINE, who, being by me first duly sworn to speak the truth deposes and says as follows:

My name is Bernice Brothers Valentine and I am the grantor in that certain deed dated December 17, 1970, and recorded in Deed Book 267, page 431, in the Probate Records of Shelby County, Alabama. By said deed I conveyed to Rosie Yvonne Langston certain property in Shelby County, Alabama, which is more particularly described as follows, to-wit:

A part of the NW¹/₄ of NE¹/₄ and a part of the NE¹/₄ of NW¹/₄ of Section 7, Township 21 South, Range 2 East, described as follows: Beginning at the NW corner of the NW¹/₄ of the NE¹/₄ of Section 7 and run East along the North boundary of said Section a distance of 29.21 feet; thence turn an angle to the right of 83 deg. 38' and run a distance of 242.07 feet; thence turn angle to right of 82 deg. 29' and run a distance of 75 feet; thence turn an angle to right of 97 deg. 33' and run a distance of 260.19 feet; thence turn an angle to right of 96 deg. 20' and run a distance of 45.79 feet to point of beginning.

On December 17, 1970, at the time said deed was executed, and at all times since that time up to and including the date of this affidavit, I was an am a single, unmarried woman. I am one of two daughters born to A. M. Brothers and his wife, Esther Brothers, who are one and the same persons as the grantees in that certain deed dated September 26, 1949, and recorded in Deed Book 224, page 139, in the Probate Records of Shelby County, Alabama. The said A. M. Brothers, my father, died before my mother Esther Brothers and my mother Esther Brothers died in 1965. My mother Esther Brothers will is recorded in Shelby County in Will Book 16, page 110, in the Probate Records of Shelby County, Alabama. In Paragraph No. 2, Sub-paragraph b my mother willed to me "the fifty-six acre plot of river front property and thirty acres of the forty acre plot commencing at the NE corner of Brothers Avenue of said plot". Said property willed to me consisted all-together of eighty-six acres more or less. Subsequent to my mother's death my sister Syvilla Brothers Hulsey and I went into the immediate possession of our respective parcels. Both my sister's land and mine were surveyed. There is attached hereto as Exhibit "A" and made part and parcel hereof as fully as if set out herein, a survey description of the 86.00 acres, more or less, which was willed to the undersigned affiant by the said will of Esther Brothers. My sister Syvilla Brothers Hulsey and all other persons, firms, and corporations recognize that the property described on Exhibit "A" attached hereto as indicated above, is owned by affiant (except parcels heretofore sold by affiant), and affiant's said sister nor no other person, firm, or corporation has questioned or disputed it in any way. My sister Syvilla Brothers Hulsey has always and does now recognize



19710917000039040 1/3 \$.00
Shelby Cnty Judge of Probate, AL
09/17/1971 12:00:00 AM FILED/CERT

269 940
269 940
269 940



19710917000039040 2/3 \$.00
Shelby Cnty Judge of Probate, AL
09/17/1971 12:00:00 AM FILED/CERT

without any question whatsoever that the 86.00 acres described on Exhibit "A" attached hereto is the exact same 86 acres which was described in Paragraph 2, sub-paragraph b in my mother, Esther Brothers' will. The 60 acre tract which was willed by my mother Esther Brothers to my sister Syvilla Brothers Hulsey in Paragraph 2, sub-paragraph a is the same 60 acres which was described in that certain agreement with Robert R. Crowe and wife, Carolyn H. Crowe recorded in Deed Book 252, page 915, in the Probate Records of Shelby County, Alabama. The other 30 acres which was willed to my mother to my said sister is described as, to-wit: East one-half of the NW¹/₄ of the NW¹/₄ and 10 acres off of the West side of the NE¹/₄ of the NW¹/₄, West of the westernmost boundary of the property describe on Exhibit "A" attached hereto. There is absolutely no question or dispute between my sister and I concerning the location of our respective parcels and never has been any such dispute.

The easement or road agreement between the undersigned and Robert F. Crowe and wife, Carolyn H. Crowe which was encompassed in that certain agreement recorded in Deed Book 252, page 915, in the Probate Records of Shelby County, Alabama, does not touch or overlap on the above described property which is owned by Rosie Yvonne Langston to any extent whatsoever.

With respect to that property which is owned by Rosie Yvonne Langston as described first above, I know of my own personal knowledge that the property and interest therein acquired by Alabama Power Company in October of 1912 for the original construction of Lay Lake did not encompass any of the Rosie Yvonne Langston property to any extent whatsoever. I also know of my own personal knowledge that the rights acquired by Alabama Power Company when Lay Lake was raised recently did not encompass any part or parcel of the Rosie Yvonne Langston property as first described above. I am familiar with the location of the property and rights in property which was conveyed to Alabama Power Company by instrument dated January 10, 1967, and recorded in Deed Book 246, page 583, in the Probate Records of Shelby County, Alabama. This property thus conveyed to Alabama Power Company and interest in property there conveyed did not involve any of the Rosie Yvonne Langston property as described above.

Bernice Brothers Valentine
Bernice Brothers Valentine

Sworn to and subscribed before me
this 16 day of September, 1971.

Nancy K. Brasher
Notary Public

EXHIBIT "A"

DESCRIPTION FOR BERNICE VALENTINE

All that part of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and a part of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ lying West of the Coosa River in section 7, township 21, range 2 East of the Huntsville Meridian, ~~Shelby County~~ **SHELBY** County, Alabama, more particularly described as follows:

Beginning at a point which is N 88°45' E 1650.45 feet and South 01°43' E 25.00 Feet from the NW corner of section 7, township 21 South, range 2 East of the Huntsville Meridian. Said point is further described as being a point on the south margin of Brothers Avenue, thence from the true point of beginning N 88°45' E 59.73 feet; thence S 01°43' E 200.00 feet; thence N 88°45' E 200.00 feet; thence N 01°43' W 200.00 feet; thence N 88°45' E 311.06 feet to the East margin of River Drive; thence N 11°45' E 25.65 feet to the north line of section 7, township 21, range 2 East of the Huntsville meridian; thence N 88°45' E 2198.59 feet to the 397' contour line; thence along said contour line a deflection angle to the right 94°54' 106.20 feet; thence 50°27' left 138.25 feet; thence 2°24' left 54.26 feet; thence 01°11' right 129.54 feet; thence 09°01' right 59.00 feet; thence 18°41' right 58.39 feet; thence 120°09' left 21.28 feet; thence 69°24' right 46.92 feet; thence 16°46' right 64.80 feet; thence 02°30' left 91.62 feet; thence 03°36' right 78.30 feet; thence 01°39' right 135.29 feet; thence 00°45' left 128.24 feet; thence 01°23' left 33.70 feet; thence 01°18' left 59.68 feet; thence 35°14' right 61.25 feet; thence 33°43' right 54.76 feet; thence 17°11' right 159.10 feet; thence 40°33' left 21.65 feet; thence 46°22' right 37.20 feet; thence leaving said 397' contour 07°04' right along the south line of the North One Half of the North One Half of Section 7, township 21, range 2 East of the Huntsville Meridian 2567.64 feet; thence leaving said Quarter-Quarter line N 01°52' W 1312.08 feet to the point of beginning.

Said property containing 86.00 acres, more or less.

G. M. Phillips, Jr.
G. M. Phillips, Jr. L.S.
Reg. #3222

19710917000039040 3/3 \$.00
Shelby Cnty Judge of Probate, AL
09/17/1971 12:00:00 AM FILED/CERT

REC'D FILE NUMBER OR
JUDGE OF PROBATE
CONFIRMED
1971 SEP 17 PM 1:32
SHELBY COUNTY
CLERK'S OFFICE
THIS INSTRUMENT WAS FILED