

5223

STATE OF ALABAMA

AFFIDAVIT OF ADVERSE POSSESSION

SHELBY COUNTY

Before the undersigned, a Notary Public for the State of Alabama at Large, personally appeared Frank Johnson, Jr., who being duly sworn, deposes and says:

That the statements contained in this Affidavit are made for the purpose of correcting an error in the legal description in the chain of title to the following described real estate situated in Shelby County, Alabama, to-wit:

Begin at Northeast corner of Mrs. Josie Britton lot on 3rd Street; thence North along 3rd Street 100 feet, thence west 267 feet, thence south 100 feet, thence East 267 feet to point of beginning. Same being part of Temperence Block in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15, Township 20, Range 3 West.

That, in reviewing the public records in Shelby County, Alabama, the legal description contained in the deed conveying title to the subject property to W. S. Esco, recorded in Volume 28, page 495, in the Probate Office of Shelby County, Alabama, runs the wrong course in that it recites in said deed to W. S. Esco, "...beginning at the Northeast corner of the Josie Britton lot on 3rd Street, thence along said street 100 feet, thence West across said lot 267 feet, thence North 100 feet ..." and that said North course should read South.

That the affiant has for more than twenty five years lived in the vicinity of the above described property; that affiant was personally acquainted with Clifford R. Esco who took title to the above described property June 3, 1947 by deed recorded in Volume 128, Page 298, in the Probate Office of Shelby County, Alabama; and that the said Clifford R. Esco remained and was in open, peaceable, adverse, notorious and exclusive possession of the above described property until the date of his death, to-wit: June 27, 1971; that during all of said time no claim of any person or persons has ever been entered or presented to the said Clifford R. Esco; that during all that time his possession has been actual, notorious, hostile, open, visible, adverse, continuous and

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exclusive as against all the rest of the world and that such possession has been peaceable and undisturbed and under claim of title and that noone has ever in any way questioned the title or possession of the said Clifford R. Esco.

Frank Johnson Jr.
FRANK JOHNSON, JR., AFFIANT

Subscribed and sworn to before me this 1st day of October,
1971.

Robert D. Briggens
NOTARY PUBLIC

My Commission Expires May 8, 1974



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