

STATE OF ALABAMA

SHELBY COUNTY

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Shelby Cnty Judge of Probate, AL
11/15/1971 12:00:00 AM FILED/CERT

Before me the undersigned authority in and for Shelby County, Alabama, personally appeared Robert L. Garner, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is Robert L. Garner. I am 65 years of age and reside at Route 1, Maylene, Shelby County, Alabama.

I have been familar with the ownership and possession of the following described property for more than the past forty years, said property being more particularly described as follows:

PARCEL NO. 1: Part of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5, Township 21 South, Range 4 West described as follows: Commence at the SW corner of said quarter-quarter section and run North 25 feet to North boundary of Tuscaloosa Road; thence North 60 deg. 50 min. East along North boundary of said road 780 feet; thence run North 210 feet to point of beginning; thence run North 321 feet; thence North 60 deg. 50 min. East 270.8 feet; thence run South 343 feet; thence run South 65 deg. 10 min. West 270.0 feet to point of beginning.

PARCEL NO. 2: A part of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5, Township 21 South, Range 4 West, described as follows: Commence at the SW corner of said quarter-quarter section and run North along West line to intersection with North line of Tuscaloosa Road; thence North 60 deg. 50 min. East along North boundary of said road 780 feet to SE corner of Lester Jordan 9 $\frac{1}{2}$ acre tract for point of beginning; thence run North 210 feet; thence run Northeasterly and parallel with said road 420 feet; thence run South 210 feet to Tuscaloosa Road; thence run SW direction along said road 420 feet to point of beginning. Excepting highway right of way.

Said property was originally owned by the "Benton" family and was conveyed to Odum Benton more than forty years ago. Said Odum Benton conveyed said property to Adron Benton before 1940, and said Adron Benton conveyed said property to C. H. Jenkins and wife, Florence Jenkins, in the early 1950's.

The Benton Chapel Church of the Assembly of God was a local Church which was formed about the mid 1940's when Adron

Benton owned the above described property, I being an original member and Trustee of said Church. Gordon Snyder, the other original Trustee of said Church, is now deceased.

A Church building for The Benton Chapel Church of the Assembly of God was built on Parcel No. 2, as described above, about 1946, and later said Gordon Snyder and I, as Trustees of The Benton Chapel Church of the Assembly of God, received a conveyance to said Parcel No. 2 from C. H. Jenkins and wife, Florence Jenkins, and later the Trustees of our Church obtained another deed from United States Commissioner of Internal Revenue, who claimed some title or lien against the property for some reason.

The Church building which was originally built on said Parcel No. 2 about 1946 was regularly used by the members and congregation of The Benton Chapel Church of the Assembly of God for Church services from about 1946 until 1965, when we stopped having services. Most of our members started attending the Shiloah Baptist Church, which has more or less become the "community Church" in our area. The original Church building is still standing on said Parcel No. 2, although it has now deteriorated until it is about fallen in.

Said C. H. Jenkins and wife, Florence Jenkins, conveyed Parcel No. 1 as described above to Herman Eugene Peel and wife, Lois Sewell Peel, in 1958, and Mr. and Mrs. Peel built a house on said property in 1959 and have been continuously living and residing in said house on said property since 1959 as their home-
stead until the present date.

I know of my own personal knowledge that said Odum Benton and Adron Benton, and their successors in title, as designated above, have been in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of said Parcel No. 1 and Parcel No. 2 for more than the past 40

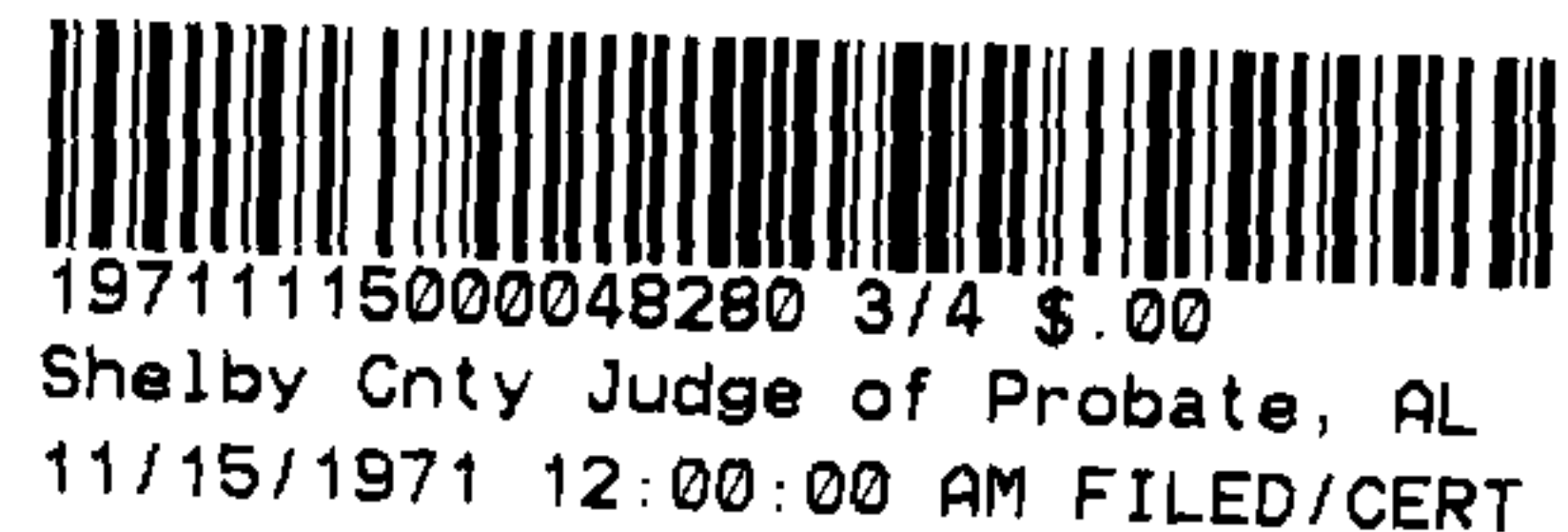
years, and I have never heard anyone question the title, ownership, or possession of said persons.

Robert L. Garner
Robert L. Garner

Sworn to and subscribed before
me this 13th day of November, 1971.

James L. Simpson
Notary Public

STATE OF ALABAMA
SHELBY COUNTY



Before me the undersigned authority in and for Shelby County, Alabama, personally appeared Barber Hubbard, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is Barber Hubbard. I am a Trustee of The Benton Chapel Church of the Assembly of God, and I reside at Route 1, Maylene, Shelby County, Alabama.

I have read the above affidavit of Robert L. Garner, and I have been familiar with the property designated in said affidavit as Parcel No. 1 and as Parcel No. 2 for more than the past 37 years.

I know of my own personal knowledge that the statements of fact as set forth in said above affidavit of Robert L. Garner are true and correct. I having observed said property and the possession thereof for the past 37 years.

BARBER HUBBARD
Barber Hubbard

Sworn to and subscribed before me
this 13th day of November, 1971.

James L. Simpson
Notary Public

STATE OF ALABAMA


SHELBY COUNTY

Before me the undersigned authority in and for Shelby County, Alabama, personally appeared Lester Jordan, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is Lester Jordan. I am a Trustee of The Benton Chapel Church of the Assembly of God, and I reside at Route 1, Maylene, Shelby County, Alabama.

I have read the above affidavit of Robert L. Garner, and I have been familiar with the property designated in said affidavit as Parcel No. 1 and as Parcel No. 2 for more than the past 59 years.

I know of my own personal knowledge that the statements of fact as set forth in said above affidavit of Robert L. Garner are true and correct. I have observed said property and the possession thereof for the past 59 years.


Lester Jordan

Sworn to and subscribed before me
this the 15th day of November, 1971.


Notary Public



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Shelby Cnty Judge of Probate, AL
11/15/1971 12:00:00 AM FILED/CERT

STATE OF ALA. SHELBY CO.
CERTIFY THIS
INSTRUMENT WAS FILED
1971 NOV 15 AM 9:52
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Consolidated
JUDGE OF PROBATE