

STATE OF ALABAMA
SHELBY COUNTY

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Shelby Cnty Judge of Probate, AL
01/06/1972 12:00:00 AM FILED/CERT

Before me, a Notary Public, in and for said County and State, personally appeared Horace Chaney, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is Horace Chaney. I am 60 years of age and reside at 2009 Southwood Road, Birmingham, Jefferson County, Alabama.

I am serving as Executor of the Last Will and Testament of Elsie Davis Jones, deceased, by order of the Probate Court of Shelby County, Alabama. All of the claims filed against the Estate of said Elsie Davis Jones, and all of the expenses and debts incident to the administration of the estate of said Elsie Davis Jones have been paid in full, including the bequests specified in the Last Will and Testament of said Elsie Davis Jones which was admitted to probate by order of the Probate Court of Shelby County, Alabama, on, to-wit, December 20, 1968.

Mrs. Elsie Davis Jones, at the time of her death, which occurred on or about August 22, 1967, was the owner of the following described real estate situated in Shelby County, Alabama, viz.:

A part of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 18, South of Range 1 West and being more particularly described as follows: Begin at the NW corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 30; thence East along the North line of same a distance of 481.59 feet to the center line of a public road; thence 122 deg. 59 min. to the right in a southwesterly direction a distance of 59.87 feet to the point of a curve to the left having a central angle of 11 deg. 51 min. a radius of 560.01 feet; thence along the arc of said curve a distance of 115.84 feet to the point of tangent; thence along said tangent a distance of 322.42 feet to the point of a curve to the right having a central angle of 20 deg. 12 min. a radius of 571.76 feet; thence along the arc of said curve a distance of 201.58 feet to the point of tangent; thence along said tangent a distance of 54.25 feet to the point of a curve to the right having a central angle of 95 deg. 25 min. a radius of 63.80 feet; thence along the arc of said curve a distance of 106.25 feet to the point of tangent; thence along said tangent a distance of 79.52 feet to the point of another curve to the left having a central angle of 26 deg.

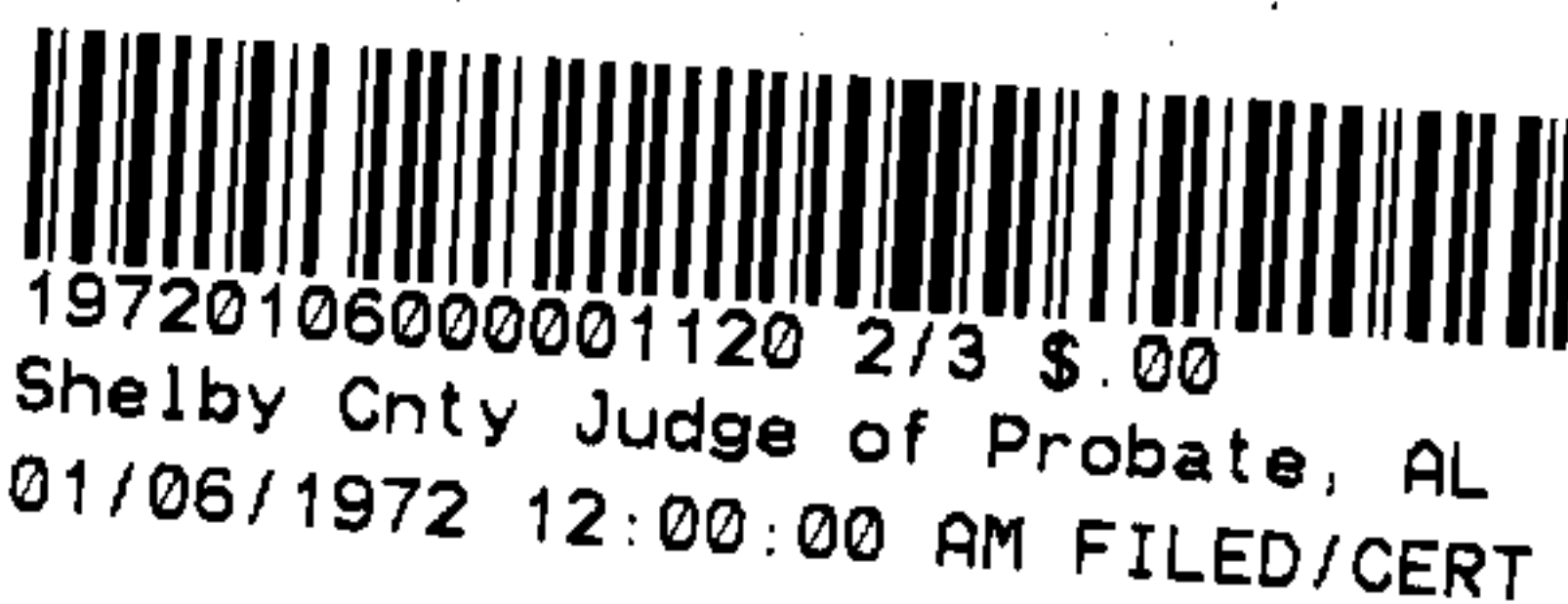
14 min. a radius of 373.29 feet; thence along the arc of said curve a distance of 170.91 feet to the point of tangent; thence along said tangent a distance of 218.72 feet; thence 85 deg. 31 min. to the right in a northeasterly direction a distance of 281.09 feet; thence 5 deg. 11 min. to the left in a northeasterly direction a distance of 172.13 feet to the north line of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 30; thence 79 deg. 12 min. to the right along said north line a distance of 244.73 feet to the point of beginning, according to survey of B. G. Meade, Registered Land Surveyor, dated November 9, 1971.

Less and except minerals and mining rights in and to that portion of said property situated in the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30, Township 18 South, Range 1 West, subject to easements and rights of way of record, and less and except a portion of said property which was conveyed by said Elsie Davis Jones to W. F. Shean and wife, Alma B. Shean, by deed dated August 22, 1950, and recorded in Deed Book 153 at page 157, Office of Judge of Probate of Shelby County, Alabama, said portion which was conveyed to said W. F. Shean and wife, Alma B. Shean, having been subsequently re-conveyed to me, as Executor of the Last Will and Testament of said Elsie Davis Jones, deceased, as shown by deed recorded in Deed Book 271 at page 623 in said Probate Office.

I am simultaneously with the execution of this affidavit, conveying the above described property to Norman Mizerany.

I knew said Elsie Davis Jones very well during her lifetime and for a period of approximately 20 years before her death. Mrs. Jones was a friend to my mother, and I became her friend and advisor and visited with her on numerous occasions in her home, which was situated on the above described real estate.

Mrs. Jones acquired her title to a portion of the above described real estate in 1944, and she acquired her title to the remaining portion of said real estate in 1947. She resided continuously in the house situated on said property from ^{about} 1947 and until approximately 3 or 4 months before her death in 1967. No one else occupied or possessed said property, nor any part thereof, from 1947 until 1967 other than Mrs. Jones, and I did not know that she had executed a deed for a portion of said property to W. F. Shean and wife, Alma B. Shean, dated August 22, 1950, and recorded



in Deed Book 153 at page 157, Office of Judge of Probate of Shelby County, Alabama, until after the death of Mrs. Jones and until I obtained an abstract prepared by the Shelby County Abstract Company in Columbiana, Alabama, pertaining to the above described property. There was never any house or structure erected on said property conveyed to said W. F. Shean and Alma B. Shean, and in December, 1971, I, as Executor of the Last Will and Testament of Elsie Davis Jones, deceased, re-purchased said property which is described in said Deed Book 153 at page 157 in said Probate Office from said W. F. Shean and sole surviving heir at law and next of kin of said Alma B. Shean, who is now deceased.

Subsequent to the death of said Elsie Davis Jones, I, as Executor of her Last Will and Testament, have rented the above described property to various tenants.

I know of my own/^{personal} knowledge that said Elsie Davis Jones, and her successors in title, as designated above, have been in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of all of the above described property, including said property described in Deed Book 153 at page 57, Office of Judge of Probate of Shelby County, Alabama, during the period from 1947, and until the present date. I have never heard anyone question the ownership, title, or possession of said Elsie Davis Jones, and her successors in title to said property, during all of said period of time.

Horace Chaney
Horace Chaney

Sworn to and subscribed before me this

5th day of January, 1972.

[Signature]
Notary Public

STATE OF ALA. SHELBY CO.
CERTIFY THIS
INSTRUMENT WAS FILED
1972 JAN - 6 AM 9:38
U.C. FILE NUMBER 09
REC. BK. & PAGE AS SHOWN ABOVE
Dorothy M. [Signature]
JUDGE OF PROBATE



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