

STATE OF ALABAMA)

SHELBY COUNTY)

19720207000006600 1/2 \$.00
Shelby Cnty Judge of Probate, AL
02/07/1972 12:00:00 AM FILED/CERT

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

My name is Alma McGuire and I am the unremarried widow of J. H. McGuire, Decensed. J. H. McGuire died in 1965 and did not leave a last will and testament. Neither J. H. McGuire nor I were ever married to any other person other than to each other. The only children who were ever born to J. H. McGuire were as follows: Jadie McGuire, Ora McGuire and Percy McGuire. Percy McGuire died prior to October, 1965, having never married and without leaving a last will and testament. Ora McGuire also died prior to October of 1965 without leaving a Last will and testament and he was survived by the following who constituted his widow and the only children ever born to him. The widow of Ora McGuire was Lena McGuire, and his children, who were the only children ever born to him were Ann McGuire Pepper, whose husband was Ernest Pepper, J. P. McGuire, whose wife was Jackie McGuire, and Johnny McGuire whose wife was Pat McGuire. The only other child which J. H. McGuire and I had other than Percy McGuire and Ora McGuire was Jadie McGuire whose wife was Frances McGuire and who is still living.

I have been familiar with the occupation, use and possession of the hereinafter described property for a period in excess of thirty (30) years, said property is situated in Shelby County, Alabama, and is more particularly described as follows:

A parcel of land located in the NE¹/₄ of the NE¹/₄ of Section 36, and the SE¹/₄ of SE¹/₄ of Section 25, all in Township 19 South, Range 3 West, Shelby County, Alabama, more particularly described as follows: Commence at the Northeast corner of said Section 36; thence in a westerly direction along the north line of said Section 36 a distance of 362.40 feet; thence 31 deg. 15' left in a southwesterly direction a distance of 109.93 feet to the point of beginning; thence continue along last described course a distance of 100.40 feet; thence 79 deg. 30' right in a northwesterly direction a distance of 135.0 feet; thence 100 deg. 30' right in a northeasterly direction a distance of 125.0 feet; thence 90 deg. right in a southeasterly direction a distance of 132.74 feet to the point of beginning.

The above described property is presently owned by Jack A. McGuire and wife, Ann Elizabeth McGuire. A portion of the property described above was purchased by Jack A. McGuire and wife, Ann Elizabeth McGuire by deed from Howard McClendon which is dated June 12, 1970, and recorded in Deed Book 265, page 492, in the Probate Records of Shelby County, Alabama. The other portion of said property was conveyed by affiant to Jack A. McGuire and wife, Ann Elizabeth McGuire by deed dated July 25, 1967, and recorded in Deed Book 249, page 310, in the Probate Records of Shelby County, Alabama. I understand that the last referred to deed refers to Ann Elizabeth McGuire as "Betty McGuire" but I do know that they are one in the same persons and she uses this name sometimes interchangeably.



19720207000006600 2/2 \$.00
Shelby Cnty Judge of Probate, AL
02/07/1972 12:00:00 AM FILED/CERT

It has been called to my attention that there is a deed of record from Grace and Hortense Davant to Grace and Hortense Davant dated May 16, 1958, and recorded in Deed Book 193, page 469, in the Probate Records of Shelby County, Alabama, which purports to convey the entire NE¹/₄ of the NE¹/₄ of Section 36, Township 19, Range 3 West. I know that this is a mistake insofar as it touches or overlaps on the above described property owned by Jack A. McGuire and wife, Ann Elizabeth McGuire. I know that for more than the past thirty years neither Grace Davant nor Hortense Davant nor any other person other than Jack A. McGuire and Ann Elizabeth McGuire and their predecessors in title have been in possession of said property or any part thereof. I am not certain where the Davant property is located but know that they have made no claim whatsoever to any part or portion of the first above described property. I am also informed that there are two mortgages from D. G. Owens in favor of the First Bank of Alabaster dated August 3, 1963, and December 22, 1964, which purport to mortgage property which would include the property first above described. The D. G. Owen property is located across the old Montgomery Highway and does not overlap or, for that matter, does not even touch the property first described above which is owned by Jack A. McGuire and Ann Elizabeth McGuire. Said D. G. Owens has never asserted any right, title or interest in and to the first above described property and has never been in possession of the same nor any part thereof. I know that this is imply a mistake in his description if it overlaps or conflicts with the first above described property owned by Jack A. McGuire and Ann Elizabeth McGuire. I understand that there is also a mortgage from J. P. McGuire to Diamond Construction Company of Alabama which is dated March 22, 1966, and recorded in Mortgage Book 300, page 286, in the Probate Records of Shelby County, Alabama. I understand that the description contained in said mortgage from J. P. McGuire overlaps on a portion of the property first described above. This is definitely a mistake and I am quite familiar with the location of the property of J. P. McGuire and that he is my grandson. The J. P. McGuire actually lies North of the first above described property and does not even touch the boundary of the same. J. P. McGuire has never been in possession of any part or parcel of the first above described property and does not claim any right or ownership thereto.

The first above described property has been in the actual, adverse, notorious, hostile possession of Jack A. McGuire and Ann Elizabeth McGuire and their predecessors in title for a period dating back for more than thirty years. There has never been any question or dispute concerning the same or any part thereof by any person, firm, or corporation.

S. sworn to and subscribed before
me this 7th day of February, 1972.

Alma McGuire

Nancy K. Brasher

, Notary Public