

AFFIDAVIT OF ADVERSE POSSESSION

2247

STATE OF ALABAMA

SHELBY COUNTY



19761217000122380 1/1 \$.00  
Shelby Cnty Judge of Probate, AL  
12/17/1976 12:00:00 AM FILED/CERT

Before me, the undersigned authority in and for said County, and State, personally appeared Ellis Bentley, Jr., who is known to me and who being first by me duly sworn, deposes and says as follows:

That I am 55 years of age and have lived in the City of Columbiana, Shelby County, Alabama continuously since the year 1921 until the date of this affidavit. I became personally acquainted with the following described property in the year 1950. Said property being described as follows:

Commence at the northeast corner of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$ , Section 36, Township 21 South, Range 1 West, thence run West along the north line of said  $\frac{1}{4}$ - $\frac{1}{4}$  Section a distance of 496.39 feet to the West R/W line of Shelby County Highway No. 47; thence turn an angle of 112 deg. 41 min. to the left and run along said Highway R/W a distance of 714.28 feet to the P.C. of a R/W curve; thence turn an angle of 90 deg. 00 min. to the right and run a distance of 10.00 feet; thence turn an angle of 90 deg. 00 min. to the left and run along said R/W curve (whose Delta Angle is 4 deg. 42 min. 03 sec. to the right, Radius is 1870.01 feet; Tangent is 76.75 feet, length of arc is 153.42 feet) to a point of tangent, and the point of beginning; thence continue along said R/W curve, whose Delta Angle is 6 deg. 07 min. 51 sec. to the right, radius is 1870.01 feet, tangent is 100.14 feet, length of arc is 200.09 feet) to the point of tangent; thence turn an angle of 79 deg. 54 min. 09 sec. to the right from tangent and run a distance of 257.41 feet to the East R/W of the I & N Railroad; thence turn an angle of 93 deg. 17 min. 56 sec. to the right and run along said Railroad R/W a distance of 200.00 feet; thence turn an angle of 86 deg. 57 min. to the right and run a distance of 270.39 feet to the West R/W line of Shelby County Highway No. 47 and the point of beginning. Situated in the SW $\frac{1}{4}$  of NW $\frac{1}{4}$ , Section 36, Township 21 South, Range 1 West, Huntsville Meridian, Shelby County, Alabama, said description being according to survey of Frank W. Wheeler R.L.S. No. 3385 on November 4, 1976.

The affiant further states that it is of his own personal knowledge that the above described property was bought/prior to 1950 by Paul O. Luck and that Paul O. Luck was in the continuous, actual, open, hostile/notorious and peaceful possession of the above described property from/before 1950 until his death. Also, it is of my own personal knowledge that from the time of Paul O. Luck's death until the present date, Clarice White Luck or Ruth L. Gordon, has been in the continuous, actual, open, notorious and peaceful possession of the above described property.

Affiant further states that he has known this property for 26 years; and during said time, I have never known of heard of anyone disputing the ownership of the property by Paul O. Luck, Clarice White Luck, or Ruth Luck Gordon.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 23<sup>rd</sup> day of November, 1976.

*Ellis Bentley, Jr.*  
Ellis Bentley, Jr.  
JUDGE OF PROBATE

STATE OF ALABAMA  
SHELBY COUNTY

Sworn to and subscribed before me on this 23 day of November, 1976.

*William A. Garrison*  
Notary Public

23<sup>rd</sup>  
1976  
DEC 17 PM 3:18  
NOTARY PUBLIC  
WAS FILED  
STATE OF ALABAMA  
SHELBY CO.

17 MAR 828