

This instrument was prepared by: James E. Hill, Jr., Attorney, Leeds, Alabama

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Shelby Cnty Judge of Probate, AL  
01/15/1977 12:00:00 AM FILED/CERT

STATE OF ALABAMA )

A F F I D A V I T

COUNTY OF SHELBY )

Before me, the undersigned authority, a Notary Public in and for said County and State, personally appeared Ed Milem of lawful age, who, being by me first duly sworn, on oath, deposes and says as follows:

For the past twenty two years I have been very familiar with the use and occupancy of that certain tract of land situated in Shelby County, Alabama, described as follows, to-wit:

Lots No. 1 and 2, and 6 and 7, in Block "B", all south of land line in Town of Sterrett, on the Central of Georgia Railway, according to the map now on record in Shelby County, Alabama. ALSO, that part of SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 19, Township 18 Range 2 East, beginning at the NE corner of said SW $\frac{1}{4}$  of SW $\frac{1}{4}$  and running south along said line to the right of way of the Central of Georgia Railway; thence West along said right of way to the line of the town lots; thence North along the line of said town lots to the line on the north side of said SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; thence NE along said line to place of beginning. EXCEPT the following tracts: One-fourth of an acre in the SE corner of said parcel of land; a strip 15 feet wide adjacent to the Central of Georgia Railroad, which was sold to the said Central of Georgia Railroad off the south side of said land that borders on said railroad; less and except that parcel of land conveyed to A. E. Churchwell, as recorded in Deed Book 144, Page 25, which parcel of land is described as beginning at the intersection of the north boundary of the Central of Georgia Railroad right of way and the east boundary of May Street in Sterrett, Alabama, run thence SE along the north boundary of said railroad 157 $\frac{1}{2}$  feet; thence NE 155 feet to intersection of north boundary line of said SW $\frac{1}{4}$  of SW $\frac{1}{4}$ ; thence West 220 feet to starting point, containing 2.8 acres, more or less, and being a part of the SW $\frac{1}{4}$  of SW $\frac{1}{4}$  Section 19, Township 18, Range 2 East, Shelby County, Alabama.

having lived in the vicinity of said land and having been in a position during all of the said period of time to know exactly who the occupants of the said land were and all the facts with respect to the use and occupancy of the same.

That during said period of time said land has been used primarily as a residence by the occupants.

I know that Earnest Eugene Brasher and wife, Reathie M. Brasher, bought the said tract of land in 1955, and have during all the years claimed exclusive ownership of said tract. I know that the said Earnest Eugene Brasher and wife, Reathie M. Brasher built the house that now stands on the said tract in approximately 1960, and that prior to this time they lived near the said tract. From and after the year of 1955, I know that the said Earnest Eugene Brasher and wife, Reathie M. Brasher, had possession of the said tract and lived on it from approximately 1960 until the death of Reathie M. Brasher in June of 1970. Thereafter, Earnest Eugene Brasher continued in possession of the said tract and that he still lives there today.

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That during all of the said period of time the said Earnest Eugene Brasher and wife, Reathie M. Brasher, maintained the grounds on the said tract, they made repairs on the house, they paid taxes on the said tract and made substantial improvements on the premises. That during all the said period of time said land has been actually occupied as stated above and such occupancy and claim of title has been open, visible, notorious, continuous, peaceable, exclusive and adverse to all the world, and those claiming said land as aforesaid have recognized no title superior to theirs during all of the said period of time, and that the aforesaid occupants of said land have used it and enjoyed the same and have exercised exclusive rights of ownership of same during all of said period of time without any hostile claim or interference from any source whatsoever.

That said owners of said land have claimed urder deed, actually recorded, in which the boundaries of said land have been actually described and the claim of ownership has been extended to the boundaries defined in said deed. That the boundaries of said land have been well marked and defined on the ground. That there has been no dispute or controversy with respect to the correct locations thereof; but on the contrary, they have been well established, either by monuments on the ground or by acquesence and general reputation during all of the said period of time.

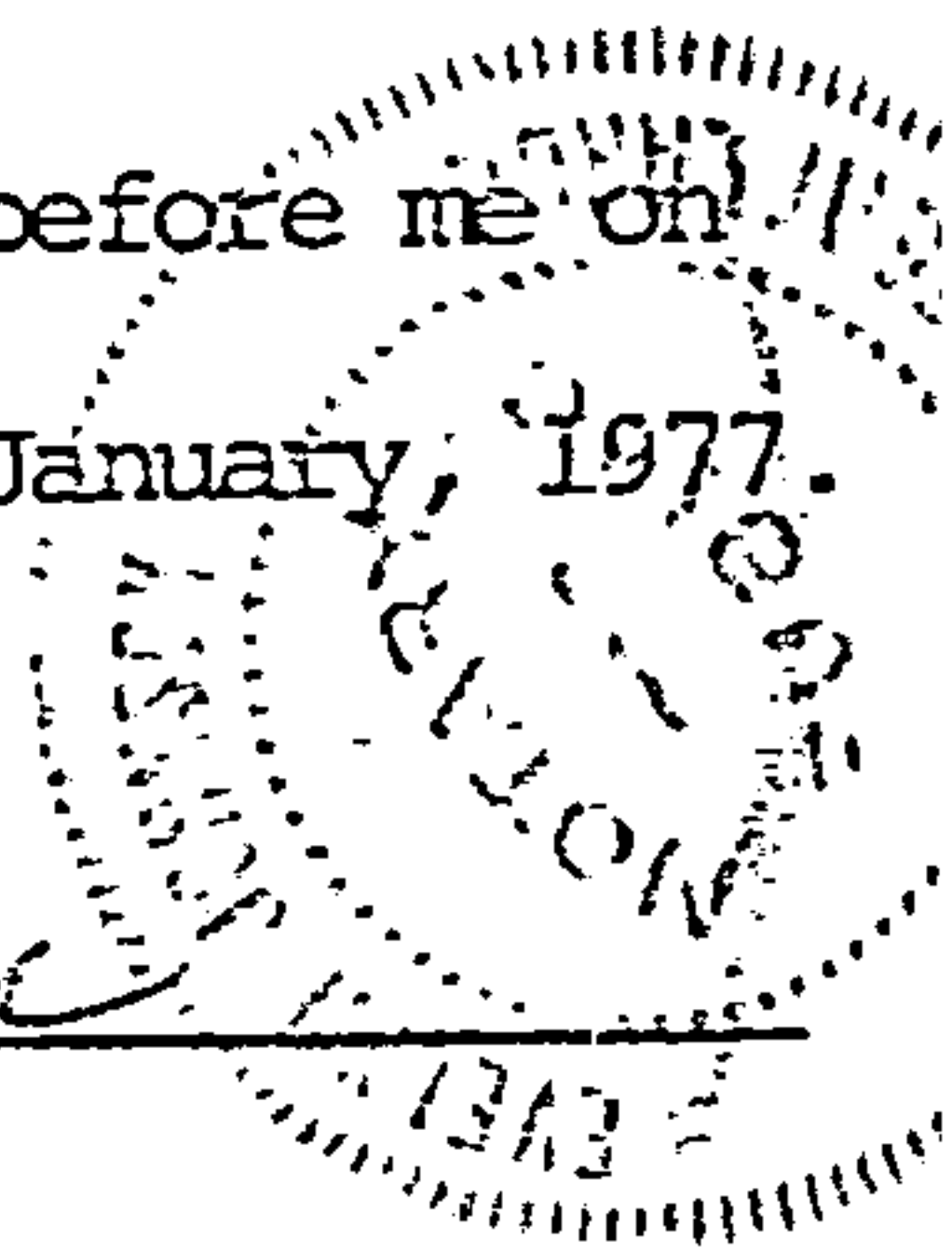
That said land at this time is now in the peaceable, open, notorious and adverse possession of the said Earnest Eugene Brasher.

Further affiant saith not.

Edmond M. Miley  
Ed Miley

Subscribed and sworn to before me on  
this the 15<sup>th</sup> day of January, 1977.

Evelyn J. Brasher  
Notary Public



STATE OF ALA. SHELBY CO.  
IN WITNESS WHEREOF  
I HAVE HEREBY  
INSTRUMENT WAS FILED

1977 FEB -7 AM 11:07

Thomas A. Brasher, Jr.  
JUDGE OF PROBATE

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100  
200