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Shelby Cnty Judge of Probate, AL
03/07/1977 12:00:00 AM FILED/CERT

STATE OF ALABAMA)
SHELBY COUNTY)

Before me, the undersigned authority, in and for said County and State, personally appeared ESSIE SIMMONS, who being known to me and being by me first duly sworn, deposes and says as follows:

My name is Essie Simmons. I am the widow of Roy A. Simmons, deceased. I am and have been continuously familiar with the occupation, use and possession of the hereinafter described property for a period in excess of 45 years, said property being situated in Shelby County, Alabama and more particularly described as follows:

Lot 17 according to survey of J. P. Word of the Town of Calera, Alabama, said plat being on record in the office of the Judge of Probate of Shelby County, Alabama in Map Book 3, page 13.
Lot 5 in Block 275 according to the survey and map of J. H. Dunstan of the Town of Calera, Alabama, said plat being on record in the office of the Judge of Probate of Shelby County, Alabama.

The above described property was purchased by my husband, Roy A. Simmons from T. C. McKibbin in March of 1935 by deed recorded in the Probate Office of Shelby County, Alabama in Deed Book (94) page 537.

There was a house situated on the above described property when my husband purchased it and in fact, my husband and I were living in the house in 1935 when I purchased the property, and had been living in the house continuously since 1929. We, of course, continued to reside in the house situated on the above described property after we purchased it in 1935 and, in fact, my husband and I, and I, after my husband's death, resided continuously and exclusively in said house as our residence from 1935 up until January 8, 1977 when I moved out of the property. There is a garage apartment on the property which we built on the same in 1957. The garage apartment is occupied at the present time by Joe Argo who is renting from affiant; affiant being the mother of the present owner, Beverly S. Shelton. We have rented the garage apartment each and every year from the time it was built in 1957 up to and including the date of this affidavit. There have never been any disputes whatsoever concerning the occupation, use or possession of subject property and no other person, firm or corporation has ever claimed the same or any part thereof, or been in possession of the same, or any part thereof since the property was purchased in 1935 by affiant's said husband.

EASON MITCHELL
ATTORNEY AT LAW
P. O. Box 550
Calera, Alabama 35040

It has been called to my attention that the deed to Mr. T. C. McKibbon dated October 11, 1923 recorded in Deed Book 75, page 132 refers to "Lot #17 in Block 2 according to the plat of J. P. Word". Actually, that lot is exactly the same lot as Lot 17 according to the survey of Words Addition to the Town of Calera, Alabama as recorded in Map Book 3, page 13 in the Probate Office of Shelby County, Alabama, which was described in the deed to my husband.

Essie Simmons

Affiant - Essie Simmons

Sworn to and subscribed before me
this 16th day of February, 1977.

Laurie Blasher
Notary Public

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FEB 17 1977 1:30
JUDGE OF PROBATE
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