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Shelby Cnty Judge of Probate, AL
03/02/1978 12:00:00 AM FILED/CERT

STATE OF ALABAMA)

8382

SHELBY COUNTY)

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

My name is Shelley Cain, Jr. and I am 51 years of age. I presently reside at Route 1, Box 101, Chelsea, Alabama. I have been acquainted with the occupation, use and possession of the following described property for more than the past thirty years:

A portion of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 2, Township 20 South, Range 2 West, more particularly described as follows: Begin at the NW corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 2, Township 20 South, Range 2 West and run Southerly along the west side of the said $\frac{1}{4}$ $\frac{1}{4}$ for 1304.62 feet to the SW corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 2, Township 20 South, Range 2 West, then turn an angle of 88 deg. 13' 44" to the left and run Easterly for 278.46 feet to a point in the centerline of the Atlantic Coastline Railroad, then continue easterly along the same line for 98.27 feet to the point of beginning; then continue along the same line for 881.21 feet to an iron at a fence corner, then turn an angle of 120 deg. 51' 49" to the left and run Northwesterly along the west side of an access road for 222.00 feet, then turn an angle of 1 deg. 40' 03" to the right and run Northwesterly along the west side of an access road for 226.46 feet to a point on the Southeast R.O.W. of the Atlantic Coastline Railroad, then turn an angle of 91 deg. 23' 22" to the left and run Southwesterly along the southwest R.O.W. of said railroad for 763.02 feet back to the point of beginning.

My father, Shelley Cain, Sr. was the grantee in that certain deed dated June 1, 1945, and recorded in Deed Book 121, page 264, in the Office of the Judge of Probate of Shelby County, Alabama. The parcel of land described hereinabove constitutes a portion of the tract of land conveyed to my father by that certain deed. I am now and have been closely familiar with the occupation, use and possession of all of the property which was conveyed to my father by the above said deed for the entire period of time since he purchased the same, up to and including the present time. There was an old farm house located on the parcel of land described hereinabove when my father purchased the property. The old farm house was subsequently torn down by my father. Through the years, portions of the hereinabove described property have been cleared and gardened by my father and various members of his family. Dale H. Young, my brother-in-law, has gardened a portion of the property for the last several years. The fence constructed along the southern boundary of the parcel of land herein described above separates this parcel from the land claimed by M. A. Kendrick. The parcel of land is bounded on the East by a dirt access road. This dirt access road separates the parcel of land described hereinabove from the land owned by Buford Lang. The dirt access road has constituted the westernmost boundary of



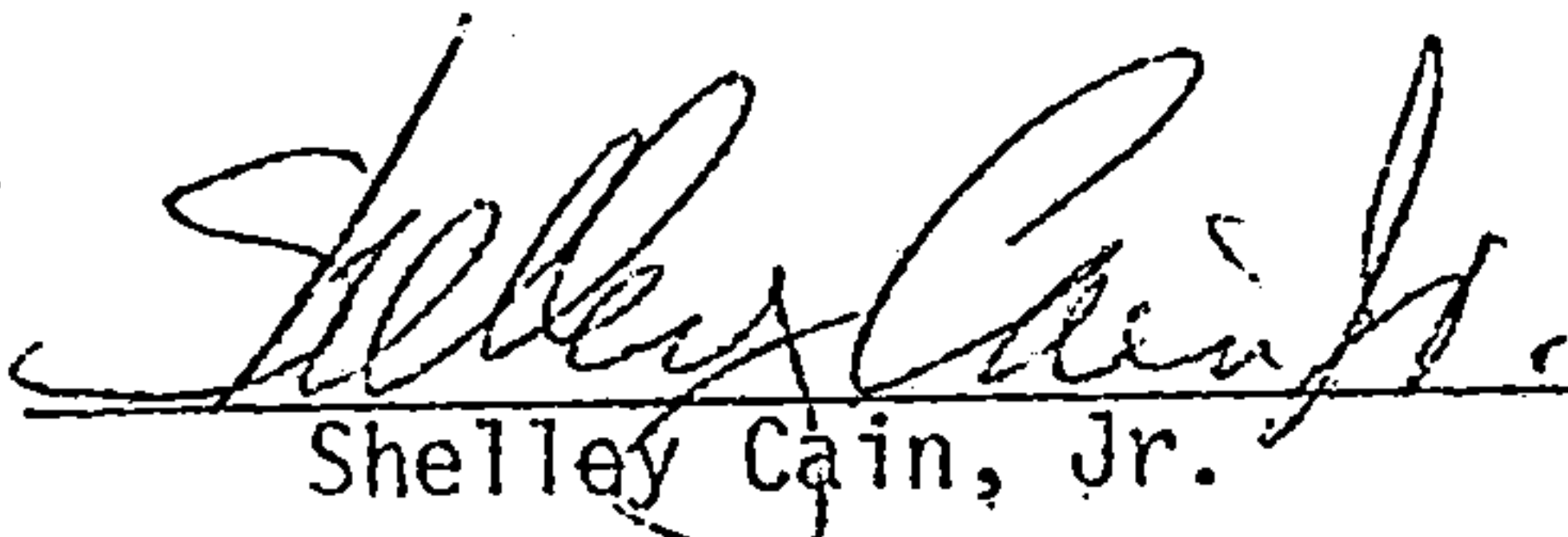
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the Lang property for years.

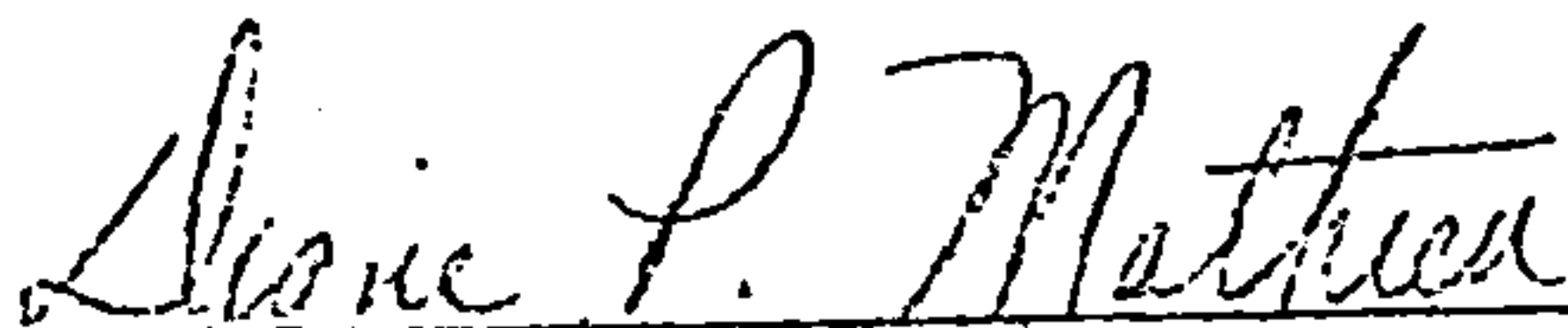
Further deposing, affiant says that his sister, as the present owner, has assessed said property herein described above for taxes and paid taxes on the same for each and every year since she has owned the same. No other person, firm, or corporation has paid taxes on said property other than the present owner, her father, and their predecessors in title.

Further deposing, affiant says that at the present time Judith Cain Barrett owns said land in fee simple, and since the time that I first knew the land more than thirty years ago, it has been owned by the present owner, our father, and his predecessors in title. The said land has been occupied by my father and sister actually, exclusively, openly, notoriously, hostilely, and continuously for more than thirty years, and I have never heard the title of my sister or father to this parcel of land questioned in any way.

It has been called to my attention that there is recorded of record a permit to the Alabama Power Company and executed by M. A. Kendrick and wife. The description contained in the permit describes a portion of the property described hereinabove. The description contained in the permit in question is in error as M. A. Kendrick has never claimed an interest in the hereinabove described property. I have discussed this matter with Mr. Kendrick and he recognizes this fact. M. A. Kendrick's property borders the hereinabove described parcel of land to the South.


Shelley Cain, Jr.


Sworn to and subscribed before me
this 22 day of January, 1978.


Notary Public

MY COMMISSION EXPIRES OCTOBER 13, 1979

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
DOCUMENT WAS FILED

1978 MAR 22 AM 10:19


JUDGE OF PROBATE

