

A F F I D A V I T

STATE OF ALABAMA

SHELBY COUNTY

19780628000082760 1/2 \$.00
Shelby Cnty Judge of Probate, AL
06/28/1978 12:00:00 AM FILED/CERT

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

My name is T. H. Brantley and I am one and the same person as the grantee in that certain deed dated May 30, 1957, which is recorded in Deed Book 189, page 423 in the Probate records of Shelby County, Alabama. The deed to me dated May 30, 1957, recorded in Deed Book 189, page 423 in the Probate records of Shelby County, Alabama described three tracts being labeled in said deed as tract 1, tract 2, and tract 3. The property which was actually conveyed to me in those three tracts is the same exact property which I deeded to Delmer S. Miller by deed recorded in Deed Book 310, page 920 in the Probate records of Shelby County, Alabama. I understand, however, that the original deed to me on May 30, 1957, did not contain the correct description of said property. The property which was actually conveyed to me in 1957 by Roland A. Guy and wife, Marie Guy and the property which I went into possession over the years is actually correctly described in the deed to Delmer S. Miller recorded in Deed Book 310, page 920 in the Probate records of Shelby County, Alabama, and as shown by survey of said property recorded in Deed Book 310, page 922, 923, and 924, all in the Probate records of Shelby County, Alabama. There has never been any question or dispute whatsoever concerning ownership, occupation, use and possession of the property. One of the three lots, which was actually Lot 2, Block 1 of the map of Maxwell Subdivision recorded in Map Book 3, page 71, in the office of Probate Judge of Shelby County, Alabama, was deeded to Roland A. Guy on February 12, 1945 by deed from Andrew J. Smitherman and Otis Smitherman which is recorded in Deed Book 120, page 348 in the Probate records of Shelby County, Alabama. Said deed incorrectly described that particular lot but it was actually Lot 2, Block 1 of said Maxwell Subdivision which was conveyed thereby. When Roland Guy purchased said Lot 2, Block 1 of Maxwell Subdivision, Map Book 3, page 71, in 1945, he shortly thereafter constructed a

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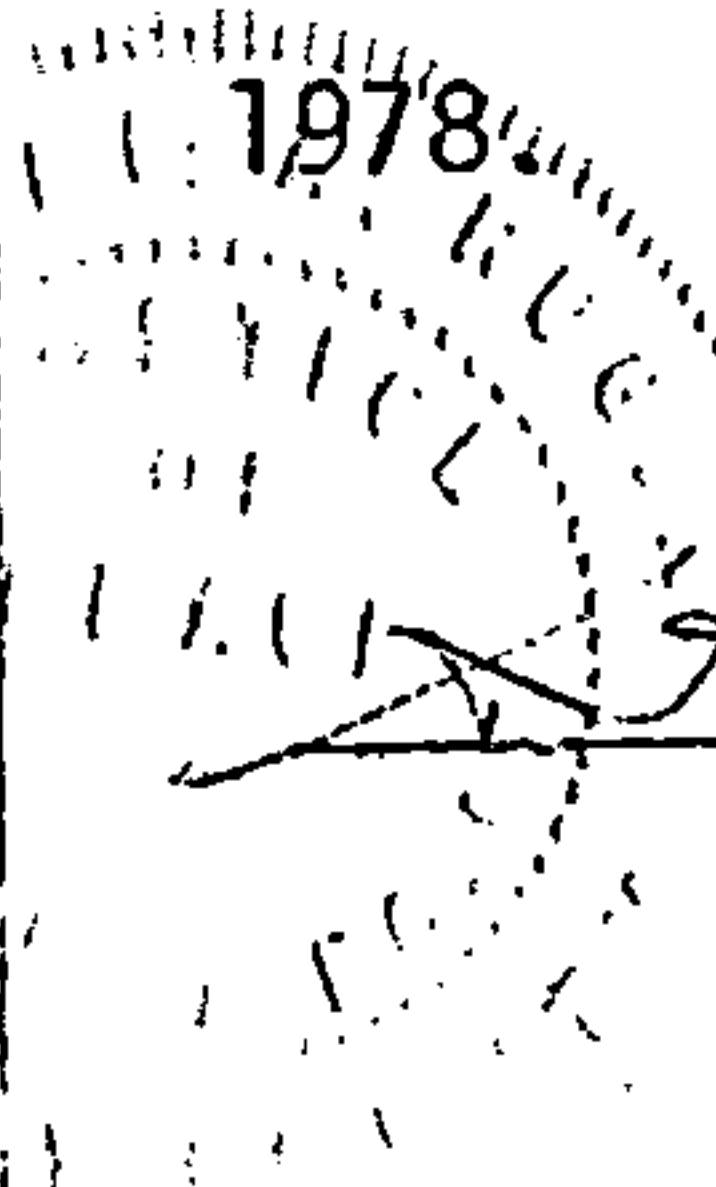
house on said Lot 2 and lived there for a number of years. In 1947, he purchased from W. J. Maxwell and from J. H. Denham the two adjoining lots which make up the balance of the property which I deeded to Delmer S. Miller by deed recorded in Deed Book 310, page 920. Mr. Guy then constructed on these two additional lots a retail store or enterprise which he conducted a business out of for several years. For more than ten years prior to the time I purchased the property from Roland Guy, he was in complete possession and control of the entire property which was deeded to Delmer S. Miller by affiant and affiant's wife in Deed Book 310, page 920. Mr. Guy had a house on Lot 2, Block 1 and a place of business on the remaining property and had the entire property in possession and control. When I purchased the property in 1957, I spent a substantial amount of money remodeling the house and cleaning up the property and then immediately rented the same out to various persons continuously and exclusively up to and including the time that I had sold the property on March 10, 1978. In fact, I had been renting the house and in possession of the property for more than twenty years before I sold the property to Delmer S. Miller.

There has never been any question or dispute whatsoever concerning the occupation, ownership, use and possession of the property. During the more than twenty years I owned the property, my title was never questioned or disputed in any way by any person.

T. H. Brantley
T. H. Brantley

Sworn to and subscribed to before me

on this the 24 day of May,



Harold A. Rubin
Notary Public



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