

I know of my own personal knowledge that the statements of fact contained in said affidavit of Agnes L. Harris are true and correct.

The deed from our father, Robert E. Lacey, to my said sister and her husband which is recorded in Deed Book 272 at page 261, Office of Judge of Probate of Shelby County, Alabama, does contain an error in the description contained in said deed, said parcel actually conveyed and intended to be conveyed being situated in the North Half of the NW $\frac{1}{4}$ of Section 16, Township 21 South, Range 1 West, whereas said deed description erroneously says that said parcel is in the North Half of the NE $\frac{1}{4}$ of Section 16, Township 21 South, Range 3 West. The property intended to have been conveyed by said deed is definitely that parcel of land which lies South of the previous deed to my sister and her husband which is recorded in Deed Book 237 at page 99 in said Probate Office and North of the parcel which was previously conveyed to me and my wife as shown by deed recorded in Deed Book 261 at page 228 in said Probate Office, and does lie East of Shelby County Road 17 and West of our other family property.

I have been familiar with the title and ownership and possession of all of the parcels as described above in the foregoing affidavit of my said sister, Agnes L. Harris, for more than thirty years. Said property has been owned by my father and members of our family and successors in title during all of said period of time. I specifically herein state and certify that Susan H. Penhale and husband, Johnny H. Penhale, and their predecessors in title as designated above in the foregoing affidavit of Agnes L. Harris, have been in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of said parcel containing 1.457 acres which is more particularly described above for more than the past thirty years. I have never heard anyone question the title or ownership to said property during said past thirty year period.

Neither my said father, Robert E. Lacey, up until the time of his death which occurred on February 7, 1974, nor any of his descendants (he having died intestate) subsequent to his death, have made any claim to said 1.457 acre parcel, they all being aware that all of said parcel had previously been conveyed to my sister, Agnes L. Harris and her husband by my



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Shelby Cnty Judge of Probate, AL
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said father, Robert E. Lacey, as aforesaid.

Phillip E. Lacey
Phillip E. Lacey

Sworn to and subscribed before me
this 29th day of June, 1978.
Robert Roberts
Notary Public
My Commission Expires September 20, 1979



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Shelby Cnty Judge of Probate, AL
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STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1978 JUN 29 PM 3:02

Thomas A. Swannick, Jr.
JUDGE OF PROBATE

Ruc. 9.00
Ind. 1.00