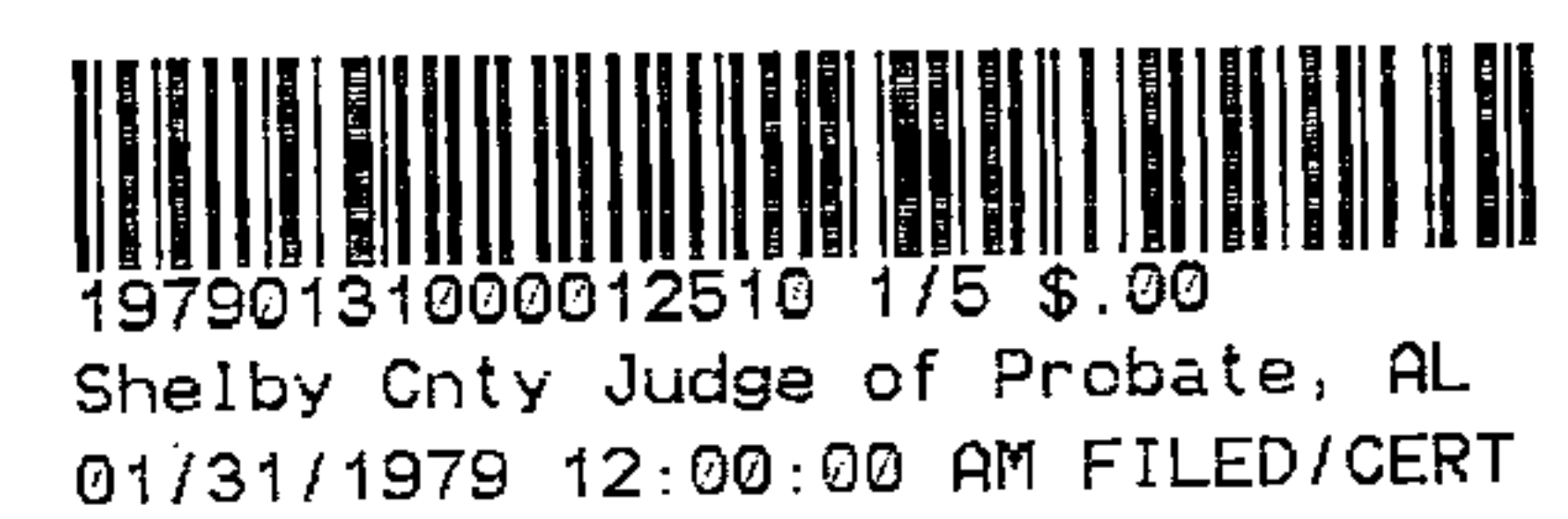


STATE OF ALABAMA  
SHELBY COUNTY



Before me, the undersigned authority in and for said County and State, personally appeared Elvis E. Walton, who after being by me first duly sworn to speak the truth, deposes and says:

My name is Elvis E. Walton. I am 54 years of age and my residence address is at Route 1, Box 70, Columbiana, Alabama.

I have been a member of the Union Methodist Church (now Union United Methodist Church) continuously since I was 7 or 8 years of age, having been familar with said Church and with its activities since that time.

I previously made an affidavit relative to the real estate of said Church which is described, according to survey of Evander E. Peavy, Registered Land Surveyor, dated June 26, 1976, as follows:

From the Northeast corner of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 32, Township 19 South, Range 1 East, run Eastwardly along the North line of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$ , a distance of 661.34 feet to the point of beginning; thence left 112 deg. 01 min. a distance of 68.72 feet; thence right 97 deg. 32 min. a distance of 560.23 feet; thence right 14 deg. 39 min. a distance of 136.13 feet; thence right 85 deg. 28 min. a distance of 206.52 feet to the Northwest corner of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section 32; thence right 03 deg. 00 min. a distance of 638.0 feet; thence right 92 deg. 22 min. a distance of 436.94 feet; thence right 69 deg. 00 min. a distance of 684.81 feet to the point of beginning of the property herein described. Except for that portion occupied by a paved road which is a well traveled lane,

my previous affidavit relative to said property having been recorded in Miscellaneous Book 16 at page 707, Office of Judge of Probate of Shelby County, Alabama; the plat of the survey of said Evander E. Peavy is attached to and made a part of my said previous affidavit in Miscellaneous Book 16 at pages 708 and 709 in said Probate Office.

I have been asked to make an additional or supplemental affidavit relative to the real estate of said Church in order to give more detailed facts relative to the past use of said property by said Church over the years.

Referring to the portion of the map or plat of the Church property of said Evander E. Peavy which is recorded in Miscellaneous Book 16 at page 708 in said Probate Office, said plat shows the Church building to be situated on the West side of Shelby County Highway No. 51 in the

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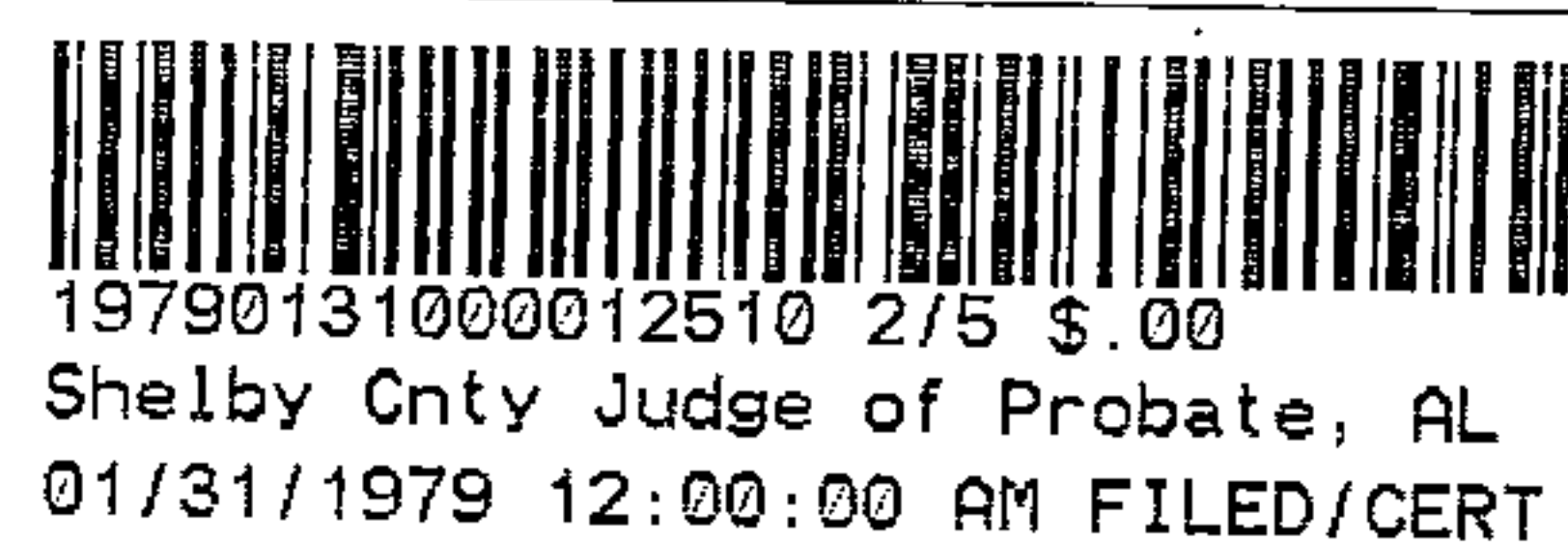
SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 32, Township 19 South, Range 1 East. It is my information that the Church building has been situated in its present location since 1907; of course it has been improved and remodeled, but the Church building has been located where it is now for as long as I can remember.

I do remember an old building which was situated on said property somewhat to the Northeast of the present Church building when I was a child and which had been used for a school building and a Masonic Lodge building, as well as a Church building, but this old building was torn down many years ago.

Referring again to the map or plat of said Evander E. Peavy which is recorded in Miscellaneous Book 16 at page 708 in said Probate Office, said plat shows the parsonage dwelling to be Southwest of the Church building and situated in the Northwest Quarter of the Southwest Quarter of said Section 32, Township 19 South, Range 1 East. This present parsonage dwelling was built about 3 years ago on the location of what was the garden site of the old parsonage.

The old parsonage which was situated on said property when I was a child and when I joined the Church more than 45 years ago was further to the East, probably within 200 feet of the old road. The old road has been situated all these years in the same location as where Shelby County Highway No. 51 is presently situated, and as stated, the old parsonage was on the Church property up near the road. There was a dug well near the old parsonage building that has been filled up within the last 20 years.

The old parsonage was occupied by Ministers of the Union Methodist Church from the time I joined the Church and can first remember until said parsonage burned about 1939, and after said building burned, it was rebuilt and was used by Ministers and for rental purposes up until about 10 or 12 years ago. During all that time, up until about 10 or 12 years ago, the back part of the property lying back Westerly of the old parsonage building and South and Southwest of the Church building was used by the Ministers of the Church and those occupying the old parsonage and the new rebuilt parsonage on a continuous yearly basis for farming and gardening purposes, up until about 10 or 12 years ago. The Church also used the property, around the fringes of the garden plot, for hitching wagons, parking, and other Church events, back as far as I can remember.





I remember Lewis H. Bentley when he lived in the Union Church Community and when he owned the property South of and adjacent to the Church property as described above by said Evander E. Peavy, Registered Land Surveyor. Mr. Lewis H. Bentley attended Church services at the Union Methodist Church from time to time, and he recognized the Church ownership of said property as later surveyed by said Evander E. Peavy and shown on said plat. There was never any dispute with Mr. Lewis H. Bentley or his successors in title as to the boundary line between the Church property and the Bentley property, and finally, when it became necessary to have a survey of the property in 1976, the Church employed Mr. Evander E. Peavy to make the survey which is shown in Miscellaneous Book 16 at pages 708-709 in said Probate Office, and Mr. Peavy, in making said survey, located the property lines along lines which have been recognized as being the property lines back as far as I can remember.

To my personal knowledge, no one, including said Lewis H. Bentley and his successors in title, has ever questioned the ownership of the said property described above and surveyed by said Evander E. Peavy as being the property of the Union United Methodist Church, and its Trustees, and its predecessor Trustees back as far as I can remember and for more than the past forty-five years, and no one has ever questioned/<sup>or</sup> contested the property lines of said Church property as being as surveyed by said Evander E. Peavy and as shown according to his map or plat dated June 26, 1976. I know of my own personal knowledge that said Union United Methodist Church, and its Trustees, and their predecessors in title, have been in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of all of said property for more than 45 years and until the present date.

*Elvis E. Walton*  
Elvis E. Walton

Sworn to and subscribed before me

this 18<sup>th</sup> day of January, 1979.

*Wilma A. Walton*  
Notary Public  
ALABAMA  
STATE OF ALABAMA

SHELBY COUNTY

19790131000012510 3/5 \$.00  
Shelby Cnty Judge of Probate, AL  
01/31/1979 12:00:00 AM FILED/CERT

Before me, the undersigned authority in and for said County and State, personally appeared Wendell Shaw, who after being by me first duly sworn,



to speak the truth, deposes and says:

My name is Wendell Shaw. I am 56 years of age and reside at Route 1, Box 74, Wilsonville, Shelby County, Alabama.

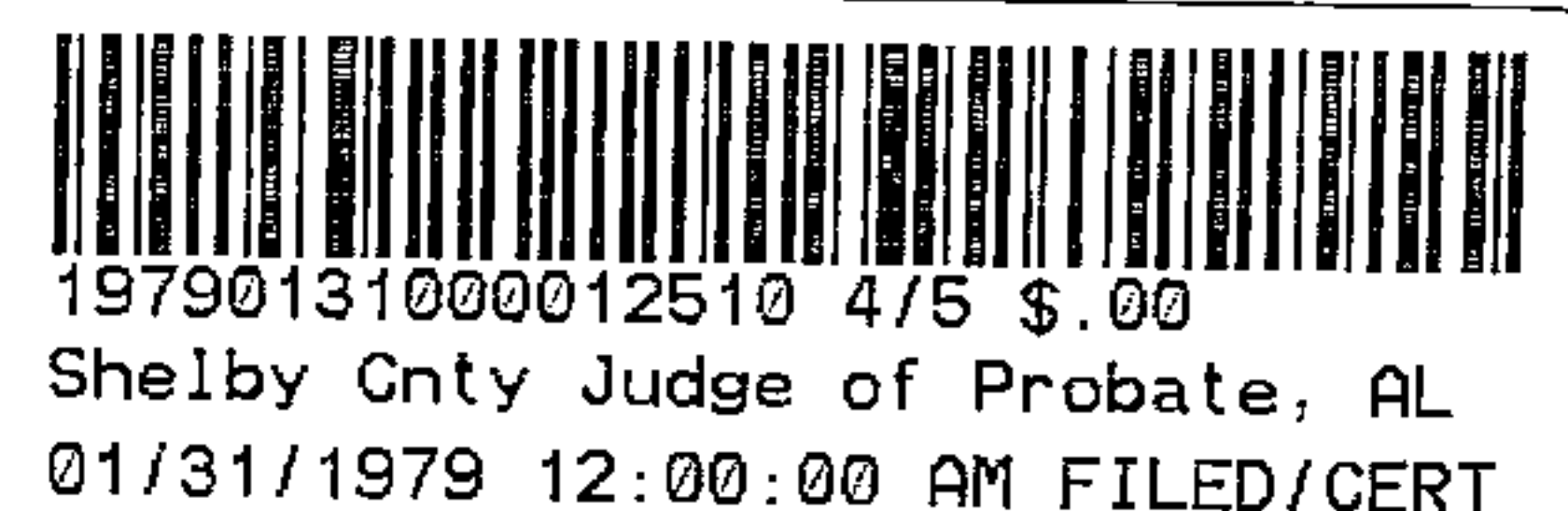
I have been a member of the Union United Methodist Church (formerly known as the Union Methodist Church) since I was 7 or 8 years of age, and I have lived in the community of said Church and have been familiar with said Church and with its activities for more than the past 45 years.

I have carefully read the above affidavit of Elvis E. Walton, and I know that the facts as set forth in said affidavit of said Elvis E. Walton are true and accurate.

The Church building was situated at its present site when I joined said Church, and I well remember the old parsonage and its well mentioned in the affidavit of said Elvis E. Walton. I also remember when the old parsonage burned about 1939 and when said old parsonage was rebuilt at the same, or about the same, location shortly thereafter and when said rebuilt old parsonage building was torn down about 10 or 12 years ago.

As stated in the affidavit of said Elvis E. Shaw, the new parsonage building is situated further back from the road than the old parsonage building, the new parsonage building having been built about 3 years ago on the site of what was formerly the garden plot for the old parsonage. The surrounding area of where the new parsonage building is presently situated was used for gardening purposes up until about 10 or 12 years ago and as far back as I can remember by the Ministers of the Church and tenants who lived in the old parsonage building.

I remember Lewis H. Bentley when he lived in the Union Church Community and when he owned the property South of and adjacent to the Church property as described above by said Evander E. Peavy, Registered Land Surveyor. Mr. Lewis H. Bentley attended Church services at the Union Methodist Church from time to time, and he recognized the Church ownership of said property as later surveyed by said Evander E. Peavy and shown on said plat. There was never any dispute with Mr. Lewis H. Bentley or his successors in title as to the boundary line between the Church property and the Bentley property, and finally, when it became necessary to have a survey of the property in



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1976, the Church employed Mr. Evander E. Peavy to make the survey which is shown in Miscellaneous Book 16 at pages 708-709 in said Probate Office, and Mr. Peavy, in making said survey, located the property lines along lines which have been recognized as being the property lines back as far as I can remember.

To my personal knowledge, no one, including said Lewis H. Bentley and his successors in title, has ever questioned the ownership of the said property described above and surveyed by said Evander E. Peavy as being the property of the Union United Methodist Church, and its Trustees, and its predecessor Trustees back as far as I can remember and for more than the past forty-five years, and no one has ever questioned or contested the property lines of said Church property as being as surveyed by said Evander E. Peavy and as shown according to his map or plat dated June 26, 1976. I know of my own personal knowledge that said Union United Methodist Church, and its Trustees, and their predecessors in title, have been in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of all of said property for more than 45 years and until the present date.

Wendell Shaw  
Wendell Shaw

Sworn to and subscribed before me  
this 18<sup>th</sup> day of January, 1979.

Hilma A. Walton  
Notary Public  
My Commission Expires March 25, 1979

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1979 JAN 31 AM 10:54

Thomas A. Snowdon, Jr.  
JUDGE OF PROBATE  
Rec. 7.50  
Jud. 1.00  
8.50

19790131000012510 5/5 \$.00  
Shelby Cnty Judge of Probate, AL  
01/31/1979 12:00:00 AM FILED/CERT