

988

STATE OF ALABAMA
PERRY COUNTY

AFFIDAVIT

19800129000011440 1/2 \$.00
Shelby Cnty Judge of Probate, AL
01/29/1980 12:00:00 AM FILED/CERT

My name is Fred Nichols and I reside at Route 3, Box 53, Marion, Perry County, Alabama 36756. I am aware of the fact that the membership of the New Mountain Missionary Baptist Church is attempting to obtain title insurance to certain property situated in Shelby County, Alabama, on which property the Church is located. This Affidavit has been executed by me for the purpose of assisting the membership in this respect. I was ordained as Deacon of the Mountain Baptist Church in 1923, and I was an active member and Deacon of that church until its name was changed to New Mountain Missionary Baptist Church approximately three to four years ago. New Mountain Missionary Baptist Church is one in the same as Mountain Baptist Church. From 1923 up to the present date, neither Mountain Baptist Church nor its successor in interest, New Mountain Missionary Baptist Church, has sold or purchased real property. The boundary lines of the New Mountain Missionary Baptist Church property as of the present date are and have always been the same as the boundary lines which were accepted and in existence in 1923. I am aware of the fact that title to the real property on which New Mountain Missionary Baptist Church is now situated was vested in William Gaiters, Moses Gilmore, Henry E. Doak, Jeff Hale and Dan English for church purposes by deed dated February 25, 1888, recorded in Deed Book 252, Page 559 of the records of the Probate Court of Shelby County, Alabama. Based upon information I received from older members of Mountain Baptist Church in and prior to 1923, I can without reservation state that the present church is one in the same as the successor in interest to the original grantees in the above said deed. The parcel of property upon which the present church stands has been in the exclusive and continuous possession of Mountain Baptist Church and its successor in interest, New Mountain Missionary Baptist Church, since 1923. The description

BOOK 34 PAGE 604

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set forth in the original deed referred to above in Deed Book 252, Page 559, describes the same parcel of real property as that description which is set forth below:

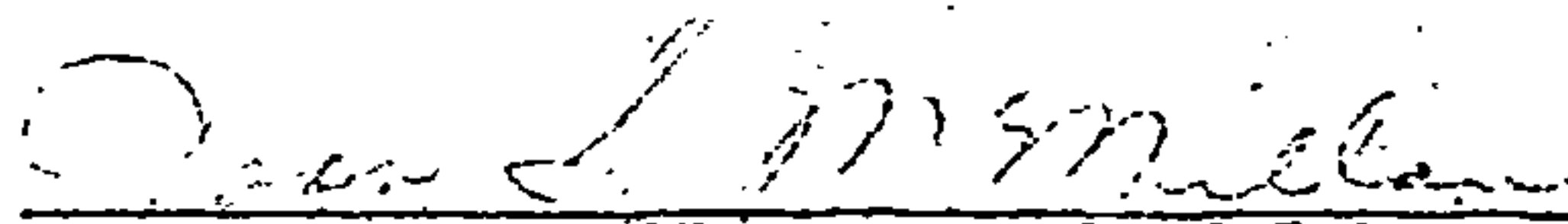
Commence at the N.E. corner of Section 5, Township 24 North, Range 13 East; thence run South along the East line of said Section 5 a distance of 1526.37 feet to the centerline of the Southern Railroad; thence turn an angle of 90 deg. 12 min. 00 sec. to the right and run along the centerline of said Railroad a distance of 983.80 feet; thence turn an angle of 67 deg. 30 min. 00 sec. to the left and run a distance of 1562.53 feet to the point of beginning; thence turn an angle of 26 deg. 16 min. 40 sec. to the left and run a distance of 112.22 feet; thence turn an angle of 75 deg. 07 min. 40 sec. to the left and run a distance of 349.04 feet; thence turn an angle of 104 deg. 52 min. 20 sec. to the left and run a distance of 112.22 feet; thence turn an angle of 75 deg. 07 min. 40 sec. to the left and run a distance of 349.04 feet to the point of beginning. Situated in the SE 1/4 of Section 5, Township 24 North, Range 13 East, Shelby County, Alabama.

All minerals, mining and related rights as previously excepted and reserved are excepted.

 His MARK

Fred Nichols

Sworn to and subscribed before me on this the 28th day of September, 1979, the above named Fred Nichols appearing before me and identifying himself as Fred Nichols and making his mark above.


Notary Public

STATE OF ALA. SHELBY CO.
FILED BY THIS

1980 JAN 29 AM 9:40

William P. Snowles, Jr.
JUDGE OF PROBATE

Re. 300.
Sub. 100.
400.



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