

STATE OF ALABAMA)
SHELBY COUNTY)

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

My name is Virginia Bailey. I am 66 years of age and my residence mailing address is 5607 Oak Mountain Lake Road, Birmingham, Alabama 35243.

I have been a member of the New Hope Cumberland Presbyterian Church, since 1930 and am presently serving as an elder of said church. I have attended church services on a regular basis and have been a teacher in the sunday school and active in many areas of the church activities and ministries since 1930.

Said church was incorporated for legal purposes as the "New Hope Cumberland Presbyterian Church, Inc." on or about February 10, 1965 as shown in Incoporation Book 7 at pages 11 and 12, Office of Judge of Probate of Shelby County, Alabama.

Our church property was surveyed by Mr. Jimmy A. Gay, a Registered Land Survey of Coulter & Gay Engineers on or about October 5, 1978, and I am attaching hereto as Exhibit "A" and by reference hereto am making a part hereof a "Description of Lands of New Hope Cumberland Presbyterian Church, Inc. on October 5, 1978, According to Survey of Jimmy A. Gay, Registered Land Surveyor". Said lands as described were the lands which were owned, claimed, and possessed by said New Hope Cumberland Presbyterian Church, Inc. on October 5, 1978, and on said date, and for many years prior thereto, and at the present time, said lands contained the church sanctuary and the pastor's manse.

The church sanctuary has been in the same place on said lands since prior to 1930, although it has been enlarged and improved over the years. Likewise, the manse is situated in the same place where it was in 1930, and prior thereto, although it also has been improved and remodeled over the years. Church services have been conducted in said church building on a regular basis continuously in said sanctuary since 1930, and our pastor or minister has lived in and occupied said church manse on a regular basis since 1930, although there have been, of course, short periods of vacancy between ministers.

The South boundary of the church property was originally the old Cahaba Valley Road, but said road has been paved and in some places relocated, and it is now known as Alabama Highway No. 119. In the vicinity of the church, the paving and

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improvement of the road resulted in relocating the present road somewhat to the South of where the old Cahaba Valley Road had formerly existed, and this is shown on the survey map of Jiminy A. Gay dated October 5, 1978 referred to above. Our church subsequently acquired title to a portion of the land between the old Cahaba Valley Road and where the new Alabama Highway No. 119 was relocated, our deed having been recorded in Deed Book 317 at page 14, Office of Judge of Probate of Shelby County, Alabama. Also, since the survey of October 5, 1978, our church has acquired title to a parcel which adjoined the original church property on the West, our deed having been recorded in Deed Book 325, at page 535 in said Probate Office.

The Northwestern boundary of the church property is the Old Caldwell Mill Road, which is now known as "Lee Street Drive", the New Caldwell Mill Road having been relocated in a Westerly direction; the Northeast boundary line is an old fence and hedge row that has been in place for many many years stretching from said Lee Street Drive to or near Alabama Highway No. 119; the most Westerly boundary line is a property line with individual owners, including Walter Maddox.

There was an elementary school which was operated in a building on the church property in 1930, and the public school operation continued until some 15 or so years ago when the building was torn down and removed, the students having been transferred to what is now Valley Elementary School in another location.

I know of my own personal knowledge that Mrs. Frances Johnston, nor anyone claiming through her, has not occupied or possessed the lands and properties of the New Hope Cumberland Presbyterian Church, Inc., as identified and described above, since 1930 until the present date and that the New Hope Cumberland Presbyterian Church, Inc. has been in the actual, peaceable, exclusive, hostile, continuous, open, notorious, adverse possession of all of said property as described and identified above since 1930 until the present date.

Virginia Bailey
(Virginia Bailey)

Sworn to and subscribed before me
this 1st day of September, 1983.
October

Maryast J. Jones
Notary Public

My Commission Expires February 25, 1986

DESCRIPTION OF LANDS
OF

NEW HOPE CUMBERLAND PRESBYTERIAN CHURCH, INC.
ON OCTOBER 5, 1978 ACCORDING TO SURVEY OF JIMMY A. GAY, REGISTERED LAND SURVEYOR.

Commence at the Southeast corner of the Northwest One Quarter of the Southeast One Quarter of Section 22, Township 19 South, Range 2 West; run thence in a Westerly direction along the South line of said Quarter-Quarter Section for a distance of 127.90 feet to the point of beginning; thence turn an angle to the right of 53 degrees, 51 minutes, 25 seconds and run in a Northwesterly direction along an old fence and hedge row for a distance of 577.64 feet to a point in a paved road; thence turn an angle to the left of 91 degrees, 18 minutes, and run in a Southwesterly direction along the center line of a paved road for a distance of 422.84 feet; thence turn an angle to the right of 8 degrees, 38 minutes and continue in a Southwesterly direction along the center line of a paved road for a distance of 70.58 feet; thence turn an angle to the left of 44 degrees, 43 minutes and run in a Southwesterly direction for a distance of 93.07 feet to the point of intersection of the mouth of a spring branch with the center line of Bishop Creek; thence turn an angle to the right of 83 degrees, 06 minutes and run in a Northwesterly direction for a distance of 23.33 feet along the center line of Bishop Creek; thence turn an angle to the left of 55 degrees, 25 minutes and run in the Southwesterly direction along the center line of Bishop Creek for a distance of 27.59 feet; thence turn an angle to the left of 46 degrees, 28 minutes, and run in a Southerly direction along the center line of Bishop Creek for a distance of 25 feet; thence turn an angle to the left of 18 degrees, 09 minutes, 15 seconds and run in a Southeasterly direction along the center line of Bishop Creek for a distance of 74.25 feet; thence turn an angle to the right of 35 degrees, 07 minutes, 15 seconds and run in a Southwesterly direction along the center line of Bishop Creek for a distance of 132.24 feet; thence turn an angle to the right of 13 degrees, 26 minutes and run in a Southwesterly direction along the center line of Bishop Creek for a distance of 68.87 feet to a point on the Northerly line of old Cahaba Valley Road; thence turn an angle to the left of 120 degrees, 29 minutes, and run in an Easterly direction along the Northerly right of way line of the Old Cahaba Valley Road for a distance of 113.96 feet; thence turn an angle to the right of 90 degrees, and run in a Southerly direction along the Easterly right of way line of the Old Cahaba Valley Road for a distance of 10 feet; thence turn an angle to the left of 90 degrees, and run in an Easterly direction along the Northerly right of way line of the Old Cahaba Valley Road for a distance of 99.60 feet; thence turn an angle to the left of 2 degrees, 18 minutes and run in an Easterly direction along the Northerly right of way line of the Old Cahaba Valley Road for a distance of 99.60 feet; thence turn an angle to the left of 89 degrees, 41 minutes and run in a Northerly direction along the Westerly right of way line of the Old Cahaba Valley Road for a distance of 10 feet; thence turn an angle to the right of 90 degrees and run in an Easterly direction along the Northerly right of way line of the Old Cahaba Valley Road for a distance of 499.32 feet; thence turn an angle to the left of 1 degree, 35 minutes, and run in an Easterly direction along the Northerly right of way line of the Old Cahaba Valley Road for a distance of 141.17 feet; thence turn an angle to the left of 120 degrees, 11 minutes, and run in a Northwesterly direction along the projection in a Southeasterly right of way line of an old fence and hedge row for a distance of 177.66 feet to the point of beginning.

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

1983 OCT -6 PM 3:46

Rec. 4.50
Jud 1.00
S. 50

James A. Gaynor, Jr.
JUDGE OF PROBATE