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T.M.  
STATE OF ALABAMA)

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AFFIDAVIT

SHELBY COUNTY)

Before me, the undersigned authority in and for said County in said State, personally appeared Thomas W. Bell, who is known to me, and who, being first by me duly sworn, deposes and says as follows:

That he is 66 years old, and is a resident of and has lived at Vincent, in Shelby County, Alabama, all of his life. He knew Dr. J. C. Embry during the latter's lifetime and when he was practicing medicine at Vincent, Alabama. Dr. Embry's office was located in one of the store buildings located on the following described property situated in Vincent, Shelby County, Alabama, namely:

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Begin at the Southeast corner of block "H" and the Southwest corner of Third Street, Map of Vincent, Alabama, as recorded in Map Book 3, Page 51 in the Judge of Probate Office, Columbiana, Alabama, thence run in a Northeasterly direction along the line of Block "H" and Third Street, a distance of 31.67 feet; thence turn an angle of 55 deg. 47 min. to the right and run a distance of 43.67 feet; thence turn an angle of 90 deg. 00 min. to the left and run a distance of 52.93 feet; thence turn an angle of 124 deg. 13 min. to the right, and run a distance of 67.25 feet; thence turn an angle of 90 deg. 00 min. to the right and run a distance of 100.00 feet to the right of way of the Central of Georgia Railroad and the line of Lot 6, Block "F"; thence turn an angle of 90 deg. 00 min. to the right and run along said Railroad R/W a distance of 73.60 feet to the point of beginning.

Begin at the Southeast corner of Block "H" and the Southwest corner of Third Street, Map of Vincent, Alabama, as recorded in Map Book 3, Page 51, in the Judge of Probate Office, Columbiana, Alabama, thence run in a Northeasterly direction along the line of Block "H" and Third Street, a distance of 31.67 feet; thence turn an angle of 124 deg. 13 min. to the left and run a distance of 56.32 feet, to the right of way of the Central of Georgia Railroad; thence turn an angle of 145 deg. 47 min. to the left and run along said Railroad R/W, a distance of 46.57 feet to the point of beginning.

The foregoing description is that provided by Frank W. Wheeler, Alabama Registered License Surveyor Number 3385, dated March 8, 1984.

John J. Smith

Said property is described by the Tax Assessor of Shelby County as follows:

Beg int E R/W Hwy #25 & NE R/W Central of Georgia  
R/R R/W, th SE alg. R/R R/W 120.27'; NE 100';  
NW 67.25'; S 52.93'; W 99.99' to POB.

S14 T29S R2E

Both of said preceding descriptions describe the same real estate which is owned by the within-named Carleen Embry.

That Dr. Embry was in actual, notorious, exclusive, open, hostile, adverse and peaceful possession of the buildings located on said property and, other than his office, rented the other buildings on said property to tenants and collected the rent therefor. He remembers the death of Dr. J. C. Embry, which occurred about August, 1951, and understands that his estate was administered in the Probate Court of Shelby County, Alabama.

He has seen a copy of Dr. Embry's Last Will and Testament and the above-described property was included in his estate. After Dr. Embry's death the said property went to his son, J. Howard Embry, a single person who was never married. He recalls that J. Howard Embry died about November 14, 1968, and remembers that his Will was probated in the Probate Court of Shelby County, Alabama.

Following the death of J. Howard Embry, his sister, Lynda Embry Florey, gave a warranty deed to the above-described property to her sister, Carleen Embry, who will be 89 years old in June, 1984.

That to his knowledge Carleen Embry is the owner of the within-described property.

He knows that the said J. Howard Embry, the said Lynda Embry Florey, and the said Carleen Embry, respectively, have the actual, exclusive, open, notorious, hostile, adverse and peaceful possession of the said property, and have exercised full control over it and he has never known or heard of anyone disputing their ownership of any part of said property or making any claim thereto.

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Since the death of the said J. Howard Embry he knows that the said Carleen Embry has maintained the store buildings located on said property, rented same for store purposes, collected all rents, assessed and paid taxes thereon, and has exercised full control over said property and is now doing so.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 14 day of April, 1984.

Thomas W. Bell (SEAL)  
Thomas W. Bell - Affiant

Sworn to and subscribed before me this 14 day of April, 1984.

Carol Hodges (Hazel)  
Notary Public  
State of Alabama at Large  
My Commission Expires 7/27/84



STATE OF ALA. SHELBY CO.  
1 CENT NEW 100S  
INSTRUMENT FILED

1984 MAY -7 AM 10:03

Thomas W. Bell  
JUDGE OF THE EASE

Rec H. 50  
Jud 1.00  
5.50

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