

This Instrument Prepared By:

John G. Lowther
Suite 1624-2121 Bldg.
Birmingham, Alabama 35203

STATE OF ALABAMA)
)
JEFFERSON COUNTY)

AFFIDAVIT AS TO ADVERSE POSSESSION
OF PROPERTY OF AMOS J. DAVIS, deceased,
and his heirs.

Before me, the undersigned authority, on this day personally appeared Louise Davis Bearden personally known to me to be the person whose name is subscribed hereto and upon her oath deposes and says that:

1. My name is Louise Davis Bearden, of 13 North 68th Street, Birmingham, Alabama, 35206, and I am the daughter of Amos J. Davis, and I have personal knowledge of the facts stated in this affidavit.

2. Amos J. Davis died, intestate, on February 27, 1950.

3. At the time of his death, he owned the following real property located in Shelby County, Alabama:

A parcel of land situated in the NE 1/4 of the NW 1/4 and NW 1/4 of the NE 1/4 of Section 26, Township 21 South, Range 3 West, Shelby County, Alabama, more particularly described as follows: Commence at the SW corner of said NE 1/4 of NW 1/4, thence in a Northerly direction along and with the West line of said 1/4-1/4 Section 628.0 feet to the point of beginning; thence continue in said Northerly direction and along and with said 1/4 - 1/4 Section 290.0 feet to a point; thence with a deflection 91 deg. 37 min. 20 sec. right 1,234.53 feet, more or less, to the Westerly right of way margin of Alabama Highway No. 119; thence with a deflection of 78 deg. 20 min. 59 sec. right and along and with said right of way margin 295.98 feet to a point; thence with a deflection of 101 deg. 39 min. 01 sec. right 1,286.09 feet, more or less, to the point of beginning forming a closing interior angle of 91 deg. 37 min. 20 sec.; being situated in Shelby County, Alabama.

4. Amos J. Davis purchased the aforesaid property in 1913, and lived on the property, and exclusively possessed the property from 1913 to his death on February 27, 1950. His widow, my mother, Della Elizabeth Davis, continued to live on said property and exclusively possessed said property from February 27, 1950, until her death on July 14, 1956. The son of Amos J. Davis and Della Elizabeth Davis, George Howard Davis, my brother, lived on said property and exclusively possessed said property until his death on March 15, 1983. The remaining children of Amos J. Davis have exclusively possessed said property since March 14, 1983 until the present.

5. From 1913 to the present, Amos J. Davis, now deceased, and his heirs, have paid taxes on said property, and occupied and possessed said property openly, notoriously, adversely, and to the exclusion of everyone else.

6. No one, except Amos J. Davis, and his heirs, has occupied the land, cut timber off the land, paid taxes on the land, built on the land, fenced the land, or otherwise encroached on the land without the consent of Amos J. Davis or his family, from 1913 until the present.

7. The present owners of the aforesaid property, namely; Cavelle Davis Conaway, Louise Davis Bearden, Nell Davis Headlough, Mary Davis, Edgar J. Davis, Charles C. Davis, and Maynor L. Davis, Jr., are all the heirs of Amos J. Davis, are all over the age of nineteen, and of sound mind.

8. All facts stated herein concern the aforesaid property and specifically that part of the aforesaid described property located in the NW 1/4 of NE 1/4 lying West of the road.

Louise Davis Bearden
LOUISE DAVIS BEARDEN

Sworn to and subscribed before me this 11 day of February, 1987.

John D. Low
NOTARY PUBLIC

My Commission Expires: 1-6-89

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1. Recording Fee \$ 5.00

2. Indexing Fee 1.00

TOTAL 6.00

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

1987 FEB 23 AM 8:07

Thomas A. Shaw
JUDGE OF PROBATE