

STATE OF ALABAMA
TALLADEGA COUNTY

§
§
§

94

AFFIDAVIT

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

That he is over 70 years of age and has lived in the City of Harpersville, Shelby County, Alabama, continuously since the year 1916 to the date of this Affidavit. That he became personally acquainted with M.K. Kelly and wife, Rosa Kelly in the year 1930.

The affiant further states that he is familiar with that property conveyed to M.K. Kelly and wife, Rosa Kelly by deed dated February 18, 1964 and filed for record in the Office of the Judge of Probate of Shelby County, Alabama in Deed Book 229 at Page 525 and this property more particularly described as follows:

SW1/4, NW1/4, Section 27, Township 19 South, Range 2 East, Commence at the Southeast corner of the above said quarter-quarter section and in a westerly direction along the south line of said quarter-quarter section, run a distance of 1038.52 feet to the point of beginning; thence continue along the same said course for a distance of 195.67 feet; thence turn an angle of 90° to the right for a distance of 76.66 feet; thence turn an angle of 90° to the right for a distance of 195.67 feet; thence turn an angle of 90° to the right for a distance of 76.66 feet to the point of beginning.

The affiant further states that M.K. Kelly was in possession of said property until he conveyed to Grady C. Kelly on June 14, 1984 by deed filed for record in Deed Book 356 at Page 504.

The affiant further states that M.K. Kelly and Grady C. Kelly have been in the actual, notorious, open, adverse, peaceful and exclusive possession of this property, using the same as a homestead and assessing and paying taxes on said property.

The affiant further states that he has known this property for over 20 years and during all the time that he has known said

BOOK 161 PAGE 874

AND ALL OTHERS

property, has never known or heard of anyone disputing the ownership of M.K. Kelly and his son, Grady C. Kelly or anyone making any claim to any part thereof.

In Witness Whereof I have hereunto set my hand and seal on this the 13th day of November, 1987.

Thomas Threath
Affiant

Sworn to and subscribed before me, this the 13th day of November, 1987.

James M. Chakraborty
Notary Public

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

1987 DEC -2 AM 8:23

Thomas A. Samuels, Jr.
JUDGE OF PROBATE

RECORDING FEES

Recording Fee \$ 5.00

Index Fee 1.00

TOTAL \$ 6.00