

1027

THIS INSTRUMENT WAS PREPARED BY: MIKE T. ATCHISON, ATTORNEY AT LAW
POST OFFICE BOX 822
COLUMBIANA, ALABAMA 35051

STATE OF ALABAMA
SHELBY COUNTY

AFFIDAVIT

Before me, the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared Ozelle Furney who after being by me duly sworn, deposes and says on oath as follows:

My name is Ozelle Furney and I am over the age of 21 years, a resident of the Chelsea area, and I am familiar with the following facts:

I have been shown a survey of the property of the A. W. Benefield heirs, which is more particularly described as follows:

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A parcel of land in the West Half of the NW 1/4 of Section 8, Township 20 South, Range 1 West, Shelby County, Alabama, described as follows:
Begin at the Southwest corner of the NW 1/4 of the NW 1/4 of Section 8; thence run North along the West 1/4-1/4 line 631.60 feet to a point on a counter-clockwise curve on the Southeast right-of-way of Shelby County Highway #36, said curve having a delta angle of 01 degree 36 minutes 59 seconds and a radius of 3149.90 feet; thence turn right 48 degrees 34 minutes 35 seconds to tangent and run Northeast along the arc of said curve 88.86 feet to the intersection of the West right-of-way of Shelby County Highway #69; thence turn right 59 degrees 10 minutes 13 seconds from tangent and run Southeast 100.64 feet; thence turn right 39 degrees 42 minutes 23 seconds and run Southeast along the West right-of-way of said Highway #69 a distance of 53.66 feet to the point of a clockwise curve having a delta angle of 54 degrees 59 minutes 00 seconds and a radius of 723.94 feet; thence run along the arc of said curve 694.72 feet to the point of tangent; thence continue along said right-of-way, tangent to said curve 12.89 feet; thence turn right 81 degrees 00 minutes 45 seconds and run Northwest 283.76 feet to a point on the West line of the SW 1/4 of the NW 1/4 of said Section 8; thence turn right 79 degrees 10 minutes 03 seconds and run North along said 1/4-1/4 line 103.89 feet to the point of beginning.

Also, a parcel of land in the West Half of the NW 1/4 of Section 8, Township 20 South, Range 1 West, Shelby County, Alabama, described as follows:
Commence at the Northwest corner of said Section 8; thence run South along the West Section line 908.55 feet; thence turn left 91 degrees 20 minutes 12 seconds and run East 334.52 feet to a point on the East right-of-way of Shelby County Highway #69 and the point of beginning; thence continue last course 494.17 feet along the South side of a chert road; thence turn right 91 degrees 13 minutes 23 seconds and run South 416.92 feet; thence turn right 88 degrees 16 minutes 25 seconds and run West 210.00 feet; thence turn left 70 degrees 33 minutes 09 seconds and run Southwest 85.40 feet; thence turn right 111 degrees 08 minutes 44 seconds and run Northwest 240.69 feet to a point on a counter-clockwise curve on the Easterly right-of-way of said Highway, said curve having a delta angle of 25 degrees 09 minutes 45 seconds and a radius of 803.94 feet; thence turn right 52 degrees 03 minutes 30 seconds to tangent and run along the arc of said curve 353.06 feet to the point of beginning.
According to survey of Amos Cory, P.L.S. #10550, dated February 23, 1988.

I have known the Benefields for over 56 years, and I know that A. W. Benefield bought this property piece meal, as shown by the deeds recorded in Deed Book 133, Page 387; Deed Book 168, Page 385; Deed Book 178, Page 324, and Deed Book 220, Page 279. The Benefields lived in the house that was located within the descriptions contained in the above recited deeds, and they used the remaining land for agricultural purposes, keeping the same under fence and using it for grazing livestock, and raising hay. In 1977, Mary Benefield, the

Willbur Hatch
1600 - Rd. 39
Chelsea, Ala
35043

widow of A. W. Benefield sold the house and approximately one acre of land to Harold H. Thomas and wife, Peggy J. Thomas, whose deed is recorded in Deed Book 308, Page 569, in Probate Office. Other than this conveyance, the remainder of the lands described in the above recited deeds has been in the continuous, notorious, and open possession of A. W. Benefield, Mary Benefield, A. Fay Hatch, and M. Dale Benefield, since the purchase of same by A. W. Benefield.

This affidavit is given to establish that the survey of caption lands by Amos Cory, dated February 23, 1988, is the same property conveyed to A. W. Benefield, by the above recited deeds, with the exception of the parcel conveyed to Harold H. Thomas and wife, Peggy J. Thomas.

Further the deponent saith not.

Dale Benefield
Affiant

Sworn to and subscribed to before me,
this 12 day of May, 1988.

Eric J. Connor
Notary Public
My Commission Expires October 7, 1990

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

88 MAY 13 AM 11:22

Thomas A. Cunningham Jr.
JUDGE OF PROBATE

RECORDING FEES

Recording Fee \$ 5.00

Index Fee 1.00

TOTAL \$ 6.00