

STATE OF ALABAMA)

SHELBY COUNTY)

AFFIDAVIT

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

My name is Patricia Neely Wilson and I am 43 years of age. I presently reside in Columbiana, Alabama on the Egg and Butter Road on property that my husband, Spencer Wilson, and I purchased from my mother Pearl Neely. I have been living on the Egg and Butter Road since approximately 1961 when my father, Arthur Neely, and my mother, Pearl Neely, purchased property from Pearl C. Nelson in a deed as recorded in Deed Book 217, page 581 in the Probate Office of Shelby County, Alabama. I lived in a house on that property until I married my husband approximately 12 years ago, and we built a house on a part of that same property which we purchased from my mother, as recorded in Deed Book 319, page 608, Probate Office of Shelby County, Alabama.

I know John Will Battle and Mozell Battle, and have known them since at least 1961. I am well acquainted with the Battle's, and with their property located on the Egg and Butter Road in Columbiana, Shelby County, Alabama which said property is more particularly described as follows:

A one acre tract of land situated in the NE 1/4 of the SE 1/4 of Sec. 35, Tp. 21 South, Range 1 West, described as follows: Commence at the NW corner of the NE 1/4 of the SE 1/4 of Sec. 35, Tp. 21 South, Range 1 West, thence run East along the North line of said forty a distance of 178.20 feet to the East line of the Egg and Butter Road and the point of beginning, thence continue in the same direction along said forty line a distance of 242.05 feet; thence turn an angle of 59 deg. and 00 min. to the right and run South 31 deg. and 00 min. East, a distance of 210.00 feet, thence turn an angle of 121 deg. and 00 min. to the right and run West a distance of 242.05 feet to the East line of said road, thence turn an angle of 59 deg. 00 min. to the right and run North 31 deg. and 00 min. West along the East line of said road a distance of 210.00 feet to the point of beginning.

W. E. A. F.

Less and Except that certain parcel of property conveyed to Isabell Battle Burns as recorded in Deed Book 311, page 715, Probate Office of Shelby County, Alabama.

I have been familiar with the use, occupancy and ownership of the above described lands for about 27 years, and know that John Will Battle and Mozell Battle have been in open, notorious, peaceful, adverse and undisputed possession of said lands for that period of time. I have never heard their title to said property or their possession of said lands to be disputed or questioned. I have personal knowledge that John Will Battle has raised gardens on his property practically every year since he has been living there, and I know that he has a house on said property and he and his wife have been living thereon since my mother and father purchased their property. I also know that various family members have lived with the Battles on their property. I am satisfied that the above described property accurately reflects that particular parcel owned by John Will Battle and Mozell Battle.

Also, I knew Ollis "Son" Lambs, and Rosa Lambs, both of whom are now deceased. They lived in a house up the road from the Battles, and the two parcels of property are separated by the house and property owned by Marvin Harwill and wife, Bernice Harwill, and a mobile home and lot owned by Isabell Battle Burns. I have never heard the Lambs or any of their children make claim to the property owned by the Battle's.

Patricia Neely Wilson
Patricia Neely Wilson, Affiant

Sworn to and subscribed to before
me on this 21st day of June, 1988.

Sherry A. Evans
Notary Public

STATE OF ALA. SHELBY
I CERTIFY THIS
INSTRUMENT WAS FILED

RECORDING FEES
Recording Fee \$ 5.00
Index Fee 1.00
TOTAL 6.00

88 JUL 29 PM 12:49

William H. [Signature]
JUDGE OF PROBATE

BOOK 196 PAGE 927