

STATE OF ALABAMA)

SHELBY COUNTY)

1170

AFFIDAVIT

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

My name is John Will Battle and I am 80 years of age. I presently reside in Columbiana, Alabama on the Egg and Butter Road with my wife, Mozell Battle. We have resided at this location, which is more particularly described below, since we purchased it from B. E. McClanahan and wife, Lula B. McClanahan on September 24, 1959, and built a home on said property within a few months thereafter.

The property mentioned above wherein we reside, and which we purchased from B. E. McClanahan and wife, Lula B. McClanahan, is recorded in Deed Book 204, page 318, Probate Office of Shelby County, Alabama, and 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.

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.

My wife and I have lived in a house on said property for over twenty-eight years along with several children. The property has been assessed in our names exclusively, and we have paid the taxes on said property from the date it was

W. E. H. F.

purchased until it became exempt. We have executed mortgage on said property and have paid and satisfied that mortgage, we have granted a power line permit to Alabama Power Company. I have cut timber off the property and sold it for pulpwood. I have had gardens on the property every year since the time it was purchased, and have raised turnips, collards, cabbages, onions, beans, tomatoes, cucumbers, squash and watermelons. My gardens generally would be located approximately 60 to 70 feet from my house site, and said garden plot would be fairly large. Since the house was first built, I have added two more rooms.

We were told by the Grantors when we purchased the property that they were the sole owners. Since that time no one has ever questioned or disputed our ownership, title or right to possession of said property. My wife and I have used the property exclusively as our own since it was purchased and have never encountered or been made aware of any title or boundary line disputes.

Finally, I am not the Willie Battle that is indebted to Shelby County Hospital Board &/b/a Shelby Medical Center in the amount of \$1,084.23 as shown in a Certificate of Judgment recorded in Book 047, page 41, Probate Office of Shelby County, Alabama; further, I am not the Willie H. Battle that is indebted to Carraway Methodist Medical Center in the amount of \$900.00 as shown in a Certificate of Judgment recorded in Book 091, page 354, Probate Office of Shelby County, Alabama.

Also, I knew Ollis "Son" Lambs and his wife, Rosa Lambs, both of whom are now deceased. The Lambs owned property approximately 3/4 of a city block's distance from that of my property. The two parcels of property are separated by the house and property owned by Marvin Harwill, and the mobile home and lot owned by Isabell Battle Burns.

The Lambs had several children, two of whom are Joseph Lambs and George D. Lambs. None of the Lambs have ever made any claim to my parcel of property.

John Will Battle
John Will Battle, Affiant

Sworn to and subscribed to before
me on this 25th day of June, 1988.

Peggy J. Letson
Notary Public

JUDGE OF PROBATE
88 JUL 29 PM 12:45
STATE OF ALABAMA
I CERTIFY THIS INSTRUMENT WAS FILED

BOOK 196 PAGE 919

RECORDING FEES
Recording Fee \$ 7.50
Index Fee 1.00
TOTAL 8.50