

STATE OF ALABAMA
SHELBY COUNTY

AFFIDAVIT

Before me, the undersigned authority, in and for said County and State, personally appeared Cecil W. Lawley, who, being by me first duly sworn, deposes and says as follows:

My name is Cecil W. Lawley. I am 58 years of age and am a resident of Shelby County, Alabama, my residence mailing address being at Route 4, Box 140 E, Montevallo, Alabama 35115.

I have been familiar with the ownership and possession of the following described property all of my life, and for at least the past 40 years, viz:

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A parcel of land more particularly described as follows: Commence at the NW corner of the SW 1/4 of the NE 1/4 of Section 2, Township 22 South, Range 4 West, and run South along the West line thereof 304.67 feet; thence 93 deg. 44 min. 22 sec. left and run 116.42 feet; thence 95 deg. 10 min. 24 sec. right and run 113.62 feet to the point of beginning; thence 84 deg. 14 min. 17 sec. right and run 19.09 feet; thence 97 deg. 57 min. 09 sec. left and run 94.90 feet to the Northerly right of way line of Montevallo-Boothton Road; thence 88 deg. 13 min. 13 sec. left and run along said right of way line 40.00 feet; thence 85 deg. 30 min. 04 sec. left and run 95.00 feet; thence 94 deg. 19 min. 35 sec. left and run 31.31 feet to the point of beginning. Situated in Shelby County, Alabama. According to the survey of Thomas E. Simmons, LS #12945, dated November 11, 1988.

I have lived and resided in the close vicinity of said property all of my life.

When I first became familiar with said property, it was owned by Luther Pickett, some 40 years ago. There was an old house on said property back when I was a boy, and said old house was torn down and replaced by the house which is presently situated on said property, approximately 35 or 40 years ago. The present house, which has been there at least 35 or 40 years, is a frame house, which has been remodeled and improved from time to time.

Mr. Charlie Thompson and his wife, Mrs. Pearl Thompson, who was the sister of said Luther Pickett, lived and resided in said house for a long period of time. I have been informed that the deed records show that said Luther Pickett deeded the property to his sister, Mrs. Pearl Thompson, in October, 1975, but I know of my own knowledge that said Mrs. Pearl Thompson and her husband, Charlie Thompson, lived and resided in the house for several years before October, 1975. Mr. Charlie Thompson died, probably in the 1950's or 1960's, and Mrs. Pearl Thompson continued to live and reside in said house on said property after the death of her husband, until her death in August of 1983.

Mrs. Pearl Thompson deeded said property to her daughter, Shirley Thompson Rutherford, some 8 or 10 years ago. Said Shirley Thompson Rutherford moved into said house and took care of her mother until her mother's death, and afterwards, said Shirley Thompson Rutherford continued to live and reside in said house on said property as her home until her death, which occurred this past March of 1988.

I have never heard anyone question the title or ownership of said Luther Pickett and his successors in title, as related above herein, during the period of more than 40 years I have known said property, said Luther Pickett and his successors in title, as designated above herein, having been in the open, notorious, hostile, continuous, exclusive and adverse possession of said

W.E.N.2

property for more than the past 40 years and until the present date.

Cecil W. Lawley
Cecil W. Lawley

Sworn to and subscribed before me this 2nd day of November, 1988.

Edward D. Perkins
Notary Public

Notary Public, Alabama State At Large
My Commission Expires January 23, 1989

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

88 DEC 12 AM 8:55

Thomas A. Snowden, Jr.
JUDGE OF PROBATE

RECORDING FEES

Recording Fee \$ 500

Index Fee 100

TOTAL \$ 600