

STATE OF ALABAMA
COUNTY OF SHELBY

AFFIDAVIT

Before me, the undersigned, a Notary Public, in and for said State, and in said County, personally appeared Flora Norris, and who being by me first duly sworn, doth declare the facts facts and conditions set forth in the foregoing affidavit to be true and correct to the best of her knowledge, to-wit:

My name is James Atchison and I am over nineteen years of age and a legal resident of Bibb County, Alabama.

I am a son of Howard J. Atchison and his wife, Ruth F. Atchison. My said parents, lived on the homeplace (as specifically described in attached Exhibit "A" to this affidavit) in the City of Montevallo, Shelby County, Alabama, for more than fifty years.

We used the house as our private residence during this time. We kept the house in good repair and my mother, Ruth Atchison enjoyed planting flowers and shrubs in the yard. We had a vegetable garden on the property until the time when my family was unable to do so. Pecans and peaches were harvested each year on the property by my parents. Although there were no fences to separate the property from the adjoining neighbor, namely, Flora Norris, there was shrubbery that outlined three sides of the yard of the residence and the public highway ran in front of the house lot. The grass was cut regularly within the boundaries of said landscaping.

I was never aware of any claims or disputes about boundary lines. There were never any claims made concerning the title in and to said property. After my father died (Howard J. Atchison died intestate on May 24, 1961), my mother continued to live there except for a two year period prior to her death (Ruth F. Atchison died intestate on April 30, 1991) when she required nursing home care. During the time she was in the nursing home, my brother, J.T. Atchison, lived on the homeplace. He died at the homeplace on March 9, 1991. This property was assessed in my parents' names during this time and taxes were paid until they reached an age of exemption. We peacefully enjoyed and used the said property as our homeplace. Since my parents' deaths there have been no claims to the title to said property.

Further affiant saith not.


JAMES ATCHISON

Sworn to and subscribed before me on this the 23 day of October, 1991.


Notary Public



Parts of Lots number 18, 19 and 20 in Storr's Addition to the Town of Montevallo, Alabama, according to survey and plot of said Storr's Addition, which is recorded in the Office of the Judge of Probate of Shelby County, Alabama, the property being particularly described and bounded as follows: Beginning at the westernmost corner of said lots, said point of beginning being the intersection of North Boundry Street and Island Street, as extended, running thence in a Northeasterly direction along the margin of said Island Street as extended a distance of 411 feet and 7 inches; thence in a Southeasterly direction at right angles to said Island Street, a distance of 194 feet; thence in a Southwesterly direction a distance of 111 feet and 7 inches; thence in a Southeasterly direction a distance of 2 feet; thence in a Southwesterly direction a distance of 77 feet; thence in a Northwesterly direction a distance of 24 feet; thence in a Southwesterly direction a distance of 120 feet to the Old Montgomery Public Road and thence in a Northwesterly direction along the margin of said Old Montgomery Road a distance of 222 feet and 6 inches to the point of beginning, the same being known as the John T. Wilson Place in Montevallo, Alabama.

LESS AND EXCEPT THEREFROM THE FOLLOWING:

That parcel described in Deed Book 122, page 98, which is described as follows: Beginning at the Westernmost part of the property belonging to Minnie P. Harvey the said point of beginning being the intersection of North Boundry Street and Island Street, thence running in a Northeasterly direction along the margin of said Island Street a distance of 116 feet, thence in a Southeasterly direction 190 feet along the property belonging to Mrs. S.P. Harrell, thence in a Southwesterly direction a distance of 52 feet along the edge of Bess Woods property, and thence in a Northwesterly direction along the margin of the Old Montgomery Road a distance of 222 1/2 feet to the point of beginning. Located in the Town of Montevallo, in the Storr's Addition, as recorded in Shelby County Probate Office.

ALSO LESS AND EXCEPT THEREFROM THE FOLLOWING:

The Westernmost corner of said lot in on the margin of Island Street 116 feet from the intersection of North Boundry Street and Island Street, running in a Northeasterly direction, Beginning at the Westernmost corner and running thence in a Northeasterly direction along the margin of said Island Street, a distance of 80 feet, thence in a Southeasterly direction a distance of 190 feet to a point where the property of Minnie P. Harvey extends a distance of 24 feet further back from Island Street than does the property sold to Mrs. S.P. Harrell, thence in a Southwesterly direction a distance of approximately 73 feet along the edge of the Bess Woods property to a corner which point lies 52 feet from the margin of the old Montgomery Road; said 52 feet being on the edge of the Bess Woods property, thence in a Northwesterly direction 190 feet to the point of beginning. Located in the town of Montevallo, Alabama, in Storr's Addition which is recorded in Shelby County Probate Office.

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

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JUDGE OF PROBATE

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3.00
1.00
9.00