

Inst # 1993-01037

STATE OF ALABAMA )  
COUNTY OF SHELBY )

01/12/1993-01037  
11:41 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 11.50

OWNERS' AFFIDAVIT

Come now Michael Ray Dennis and wife, Robyn Davenport Dennis, the Affiants herein, and after first having been duly sworn, said Affiants do hereby depose and say as follows:

1. That both Affiants are over the age of nineteen (19) years, of sound mind, and have personal knowledge of the facts stated herein.

2. On or about May 8, 1987, said Affiants acquired title to certain property located in Shelby County, Alabama, herein specifically described as follows:

Commence at the Southeast corner of the Northeast quarter of the Southeast quarter of Section 30, Township 21 South, Range 4 West, and go North along the Eastern line of said 1/4-1/4 Section 388.8 feet to the point of beginning; thence continuing North along the said Eastern line 274 feet; thence left at an angle of 90 deg. 23 min. for 111 feet; thence left at an angle of 62 deg. 57 min. for 96.5 feet; thence right at an angle of 96 deg. 31 min. for 155.45 feet; thence left at an angle of 33 deg. 34 min. for 50 feet; thence left at an angle of 89 deg. 37 min. for 169.87 feet to the North side of the public road; thence left along the North side of the public road 185 feet; thence 92 deg. 41 min. to the left for 100 feet; thence right at an angle of 59 deg. 45 min. for 141.16 feet to the point of beginning; being situated in Shelby County, Alabama.

3. The Deed of Affiants, as Grantees, is recorded at Book 129, Page 895, in the Office of the Probate Judge, Shelby County, Alabama.

4. The description of said real estate, as designated within the heretofore mentioned Deed of Conveyance designated that the property was located in Range 3 West, when it is actually located in Range 4 West.

5. Dating back to November 26, 1956, the Affiants' source of title is traced to Deed recorded at Book 185, Page 146, as recorded in the Office of the Probate Judge, Shelby County, Alabama. On or about October 30, 1982, such property was conveyed from the Grantors to Grantees in Deed recorded at Book 354, Page 284, in the Office of the Probate Judge, Shelby County, Alabama, and

*M A Spears*

the designation of the property being located in Range 4 West was erroneously stated as being located in Range 3 West. On or about August 29, 1984, such property was conveyed by Deed recorded at Book 358, Page 502 in the Office of the Probate Judge, Shelby County, Alabama, and such Deed continued to carry the erroneous range as Range 3 West, as opposed to Range 4 West. When the Affiants purchased the property, on or about May 8, 1987, said legal description continued to carry the erroneous range as Range 3 West, as opposed to Range 4 West, as is evidenced by document recorded at Book 129, Page 895 in the Office of the Probate Judge, Shelby County, Alabama.

6. Furthermore, Affiants have recently been informed that the next-to-last call in regard to such legal description was omitted when the property was split, prior to November 26, 1956, said call being designated as "thence 92 deg., 41 min. to the left for 100 feet".

7. The Affiants are the current owners and title holders of a certain parcel of real estate located immediately to the South of the real estate hereinabove described, which is hereinafter described as follows:

Beginning at a point on the East line of the NE 1/4 of the SE 1/4 of Section 30, Township 21 South, Range 4 West, 123.14 North of the SE corner of said Quarter-Quarter Section, continue North along the East line of NE 1/4 of the SE 1/4 for a distance of 265.66 feet; thence left at an angle of 74 deg. 37' for a distance of 141.16 feet; thence left at an angle of 59 deg. 45' for a distance of 100.0 feet; thence left 87 deg. 19' for a distance of 312.0 feet to the point of beginning. Situated in Shelby County, Alabama.

The property immediately hereinabove described, has a common boundary line with the parcel first described herein, and Affiants' property hereinabove immediately described has a common boundary line, the North line of said property of which is contiguous to and adjoins the South boundary line of the property first hereinabove described.

8. As regarding both of said parcels hereinabove described, the Affiants, or their immediate predecessors in title, have openly, adversely and continuously possessed and maintained such property. Furthermore, said Affiants are not aware of any other persons or entities which claim any right, title or interest in or to said real estate hereinabove described.

9. The Affiants' purpose for submitting this Affidavit is to clearly establish the proper chain of title in regard to the property first hereinabove described, as it is the case that two of the prior Grantors within the chain of title have heretofore deceased, and one of the Scriveners, to-wit, Wade H. Morton, Jr., has heretofore deceased.

Furthermore, the Affiants saith naught.

Michael Ray Dennis

Michael Ray Dennis, Affiant

Robyn Davenport Dennis

Robyn Davenport Dennis

STATE OF ALABAMA )

COUNTY OF SHELBY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Michael Ray Dennis and Robyn Davenport Dennis, whose names are signed to the foregoing Affidavit, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the Affidavit, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 4th day of Jan., 1993.

D. A. Spear

Notary Public

Inst # 1993-01037

01/12/1993-01037  
11:41 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCD 11.50