

STATE OF ALABAMA)

SHELBY COUNTY)

AFFIDAVIT

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

My name is Gladys Peoples, and I am 63 years of age. My husband is named King Peoples. My husband and I live at 16 Dogwood Road in Montevallo, Alabama. Since 1958, my husband and I have owned the following described parcel of land:

Begin at the NE corner of the A. C. Galloway property and run west along north line of said property 162 feet to point of beginning; thence continue west 364 feet; thence run north with ditch 345 feet; thence east 116 feet; thence south 345 feet to point of beginning; said parcel lying in the SW 1/4 of the SW 1/4 of Section 17, Township 22 South, Range 3 West. Situated in Shelby County, Alabama.

We bought the property from Tom Bearden, who was my grandfather. It is my recollection that a deed was executed by my grandparents, Tom Bearden and Savannah Bearden, but the deed has apparently been lost because it was never recorded. My husband and I have looked for the deed but cannot find it. My husband and I mortgaged the property we purchased to Tom Bearden. We signed a mortgage and note for \$750.00 on July 14, 1958. Mr. L. E. Shaw notarized our signatures to the mortgage. The mortgage was recorded in Mortgage Book 310, page 663. Mr. Shaw typed a notation on the mortgage noting the fact that the recorded mortgage is a showing that we bought our homeplace from my grandfather. A copy of the recorded mortgage and notation of Mr. L. E. Shaw are attached to this affidavit as Exhibit "A" and incorporated by reference as if fully set out herein.

My husband and I have been in possession of the hereinabove described property for more than 35 years. We have lived on the property and occupied it as our homeplace. No one has questioned our ownership and possession of the property. The house that was on the property when we first bought it burned in the 1960s. My husband and I built the house that is now on the property in 1982. We have occupied the house which is on the property as our homeplace continuously since 1982. I have never heard the title or our possession to the property owned by me and my husband to be questioned or disputed. My husband and I have been in open, notorious, adverse and undisputed possession of said lands as described hereinabove for more than 35 years, and I have never heard our title or possession questioned.


Gladys Peoples - Affiant

Sworn to and subscribed to before

Inst # 1994-05960

me on this 23rd day of February, 1994.


Peggy J. Letson
Notary Public

02/23/1994-05960
12:28 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
006 MCD 22.00

Inst # 1994-05960

EXHIBIT "A"

1331

MORTGAGE DEED

THE STATE OF ALABAMA,
Shelby County.

This Deed of Mortgage, made and entered into on this, the 14th day of July 1958, 19...
between King Peoples and wife Gladys Peoples

the party of the first part, and Tom Bearden
party of the second part,

WITNESSETH, That the party of the first part being indebted to the party of the second part in the sum of
Seven Hundred- Fifty dollars DOLLARS,

due by One promissory note of this date said note payable monthly at the rate
Of Twenty five dollars, each payment becoming due on the 5th day of each
month.

and being desirous of securing the payment of the same, in consideration thereof, have granted, bargained, sold, and
conveyed and by these presents do grant, bargain, sell and convey to the said party of the second part the following
property hereinafter described—that is to say, situated in the County of Shelby, in the State of Alabama, and more
particularly known as Beginning at the Northeast corner of the A. C. Galloway
property and run in a westward direction along the north line of the said
A. C. Galloway property a distance of 162 feet to point of beginning, thence
continue in a westward direction a distance of 364 feet, thence North a
distance of 345 feet, thence East a distance of 116 feet, thence South a
distance of 345 feet to point of beginning, being a part of the SE $\frac{1}{4}$ Of SE $\frac{1}{4}$,
Section 18, Township 22, Range 3 West.

his heirs

It is further agreed that if the said party of the first part shall fail to assess said property and pay taxes on same, or to insure said buildings, then the said party of the second part may pay the same and take out said insurance, and this conveyance shall stand at security for the same.

We further certify that the above property has no prior lien or encumbrance thereon.

Witness our hand 3 and Seal 3, the day and year above written.

Signed, Sealed, and Delivered in the Presence of

* King Peaples (L. S.)
Yeadys Peaples (L. S.)
(L. S.)

THE STATE OF ALABAMA,
Shelby County.

I, L. E. Shaw in and for said County
hereby certify that King Peolpes and wife Gladys Peoples
whose name s ^{are} signed to the foregoing conveyance, and who are known to me, acknowledged before
me on this day that, being informed of the contents of this conveyance, they executed the same voluntarily on
the day the same bears date.

Given under my hand, this 14th day of July 1958, 1958

L. E. Shaw

Justice Of The Peace

THE STATE OF ALABAMA,
Shelby County.

I, _____ in and for said County,
do hereby certify that on the _____ day of _____, 19____, came before me the within-
named _____
known to be the wife of the within-named _____
who being examined separate and apart from the husband touching her signature to the within Deed of Mortgage,
acknowledged that she signed the same of her own free will and accord, and without fear, constraint, or threats on the
~~part of her husband.~~

In Witness Whereof, I have hereunto set my hand, this _____ day of _____, A. D., 19____

STATE OF ALA. SHELBY CO.
NOTARY PUBLIC
INSTRUMENT WAS FILED
1958 FEB -3 PM 9:05
U.C. FILE NUMBER 08
REC. BK. & PAGE AS SHOWN ABOVE
Conceded
JUDGE OF PROBATE

2. E. Alamo 1.20
Mills 205
3rd

MORTGAGE

Reed Peoples
Shelby Peoples
TO
San Deacon

THE STATE OF ALABAMA,
Shelby County

I,

Judge of Probate for said County, hereby certify
that the within Mortgage was filed in my office

for record at o'clock M., on the

..... day of, 19

and duly recorded on the day

of, 19

in Mortgage Record, Vol.

No., on pages

..... Judge of Probate.

Recording

Certificate

THE STATE OF ALABAMA,
Shelby County.

I,

Judge of Probate for said County, hereby certify
that the following privilege tax has been paid on
the within instrument as required by Acts 1902
and 1908—viz:

\$ cents

..... Judge of Probate.

Dear King:

I am enclosing your Mortgage deed made to Tom Bearden.

I have had it recoded in book 310- Page 663 in the Probate Office. I would like to know if you paid this Mortgage before Uncle Tom died.

L. E. Shaw

Please keep this in a safe place as it is all the showing you have that you bought the place.

Inst # 1994-05960

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SHELBY COUNTY JUDGE OF PROBATE
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