

THIS INSTRUMENT WAS PREPARED BY: MIKE T. ATCHISON, ATTORNEY  
POST OFFICE BOX 822  
COLUMBIANA, ALABAMA 35051

STATE OF ALABAMA  
SHELBY COUNTY

AFFIDAVIT

Before me, the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared ROBERT DAVIS, who after being by me first duly sworn, deposes, and says on oath as follows:

My name is ROBERT DAVIS, and I am over the age of 21 years. I have resided in the Dogwood community for 70 years, and am familiar with the following facts:

I am familiar with the property owned by Bobby M. Lawley, Sr. and Sherry Lawley, being more particularly described as follows:

Begin at a point 1,337.9 feet North and 714.7 feet West of the center stake of Section 5, Township 22 South, Range 3 West, Shelby County, Alabama; run South 89 degrees 50 minutes East 184.2 feet; thence South 0 degrees 10 minutes West 123.0 feet; thence North 89 degrees 50 minutes West 184.2 feet; thence North 0 degrees 10 minutes East 123.0 feet to point of beginning.

Situated in Shelby County, Alabama.

It has been brought to my attention that there has been a discrepancy in the legal descriptions of the deeds to this property, since 1956 or so. The last deed with the correct description was that certain deed from J. H. Thompson, to Barney Moon, as recorded in Deed Book 180, Page 523, in the Probate Office of Shelby County, Alabama. The subsequent deed from Barney Moon to R. F. Price recorded in Deed Book 181, Page 3; the deed from R. F. Price to Frank Fortenberry, recorded in Deed Book 207, Page 365; the deed from Frank Fortenberry's heirs to Robert L. Lovelady and wife, Lois U. Lovelady, as recorded in Deed Book 272, Page 656; and the deed from the Loveladys to Bobby M. Lawley and wife, Sherry Lawley, as recorded in Deed Book 297, Page 264, all have the incorrect description. In these deeds, the property is described as follows:


Begin at a point 337.9 feet North and 714.7 feet West of the center stake of Section 5, Township 22 South, Range 3 West, Shelby County, Alabama; run South 89 degrees 50 minutes East 184.2 feet; thence South 0 degrees 10 minutes West 123.0 feet; thence North 89 degrees 50 minutes West 184.2 feet; thence North 0 degrees 10 minutes East 123.0 feet to point of beginning.

Situated in Shelby County, Alabama.

I know that the property owned by the Lawleys is the same property that was previously owned by Barney Moon, R.F. Price, Frank Fortenberry, and Robert and Lois Lovelady. I further know that no one has ever challenged the title to this property, although it has been incorrectly described over these many years. I also know that Bobby M. Lawley and Sherry Lawley, and their abovenames predecessors in title have been in open, continuous, notorious adverse possession of the above described property since 1952, living on the same, and paying taxes. I do not know of anyone else claiming title to the above described property.

This affidavit is given to correct the error in description in the above recited deeds; to establish the ownership thereof by Bobby M. Lawley and Sherry Lawley; and to induce Shelby County Abstract & Title Company, Inc., to issue a title policy in its case No. SS-94-1116.

Further the affiant saith not.

  
ROBERT DAVIS

Inst # 1994-10283

Sworn to and subscribed to before me  
this 18<sup>th</sup> day of March, 1994.

  
Notary Public

03/29/1994-10283  
04:05 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
001 MCD 8.50

WTA