

STATE OF ALABAMA  
SHELBY COUNTY

AFFIDAVIT OF THERON HOLCOMBE

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

My name is Theron Holcombe, and I am 88 years of age. My residence address is 36 Highway 47, Chelsea, Alabama 35043, and I have been living in the Chelsea, Alabama area since 1928.

On November 20, 1946, my deceased husband, D. H. Holcombe, and I conveyed the following described property to Evelyn Ruth Spraitzar and I. W. Spraitzar, to-wit:

That part of NE 1/4 of SW 1/4, Sec. 26, T. 19, R. 1 West. Beginning at the SE corner of said 40 Acres and run North 314 feet for a beginning point. Then run West 418 feet; thence North 742 feet; thence East 500 feet or to East line of said 40 Acres; thence South 586 feet to point of beginning 6.2 Acres, more or less.

The deed for said property was recorded in Deed Book 125, page 447, Judge of Probate, Shelby County, Alabama. I subsequently executed a deed on April 2, 1992, which is recorded as Document No. 1992-4520, Judge of Probate, Shelby County, Alabama, for the purpose of correcting a typographical error in the original property description.

I am familiar with the above described property and know its location. The West boundary of said property is adjacent to the paved road, and the paved road has been in the same location since I have been familiar with the property. I believe the road is numbered as County Road 39, and it merges with the Williamson Road. The current paved road is the same old road that has been there for years.

I am also familiar with the following property which was conveyed by my husband, D. H. Holcombe, and I, to S. W. Blackerby on November 20, 1946, and is more particularly described as follows:

Beginning at the SE corner of NW 1/4 of SE 1/4 of Sec. 26, T. 19, R 1 W, and run North 314 feet; then West 418 feet for a beginning point; thence North 712 feet; thence Southwest 778 fet; thence East 330 feet to point of beginning. Said track bounded on East by the Wilsonville Road and on the South by the Chelsea Road and on SW side by road leading to Chelsea. Containing 2.7 Acres, more or less.

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This said property was subsequently conveyed by S. W. Blackerby to A. C. Adams and wife, Annie B. Adams, in a deed recorded at Deed Book 137, page 133, Judge of Probate, Shelby County, Alabama, which shows said conveyance to have occurred on December 7, 1948. I am familiar with the property conveyed to S. W. Blackerby and then subsequently to A. C. Adams and wife, Annie B. Adams, and know its location. The said property is in the shape of a triangle, and has always been bounded on three sides by roads. The current paved roads form the boundary lines as they have always existed. A school, known as Center Institute, used to be located within the triangle of property. I know that Annie B. Adams only claimed to own the property within the triangle, as bounded the roads, and I have heard her say such.

I am also familiar with the location of the trailer on Evelyn Spraitzar's property, which I understand is being inhabited by Eddie Brasher. This trailer is clearly on the Spraitzar property, which was deeded to Evelyn Spraitzar and I. W. Spraitzar by my husband and I. The property deeded to S. W. Blackerby, and subsequently to A. C. Adams and wife, Annie B. Adams, is located West and Southwest of said property, in the triangle surrounded by the paved roads.

This the 18 day of November, 1992.

Theron Holcombe  
Theron Holcombe

Sworn to and subscribed before  
me this 18 day of November, 1992.

Lance Brasher  
Notary Public

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*Evelyn S. Spraitzar*  
#2925-I; 19th St. 50.  
Bham, AL. 35209