

THIS INSTRUMENT WAS PREPARED BY: ✓ MIKE T. ATCHISON, ATTORNEY AT LAW
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 William Wallace Pate, who after being by me first duly sworn, deposes and says on oath as follows:

My name is William Wallace Pate, and I am over the age of 21 years and am familiar with the following described property and the ownership of same, to-wit:

All of the South Half of the SW 1/4 of NE 1/4, Section 11, Township 24 North, Range 15 East, except that part of said tract lying in the fork of the Woods Ferry Road and the Montgomery Road (old roads) containing 1 1/2 acres; and except that part of said tract formerly conveyed to Joe Willis, as shown by deed recorded at Page 624, of Deed Book 45, Office of Judge of Probate, Shelby County, Alabama; and except that part of said tract as follows: Begin at the Southwest corner of the SW 1/4 of NE 1/4, Section 11, Township 24 North, Range 15 East, and run thence East, along the South line of said forty acre tract, to the Southwest corner of land formerly conveyed to Joe Willis, as shown by deed recorded at Page 624, of Deed Book 45, Office of Judge of Probate, Shelby County, Alabama; thence run North parallel with the West line of said forty acre tract, along the West line of said Joe Willis land, a distance of 105 yards; thence run West parallel with the South line of said forty acre tract; to a point on the West line of said forty acre tract; thence run South, along the West line of said forty acre tract, to the point of beginning.

Inst # 1994-34158
11/16/1994-34158
09:41 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCJ 8:50

C.E. Thompson acquired title to the above described property in November 1961 in Deed Book 234, Page 563, in Probate Office of Shelby County, Alabama. The 1 1/2 acre tract referred to in the exception of said deed has for years belonged to Erman Connell and his successors in title. Erman Connell never owned any property Northeast of Old Woods Ferry Road. The Old Woods Ferry Road before paving by Shelby County made a dead end into Old Montgomery Road, now Shelby County #311. All Erman Connell's land was Southwest of the Old Woods Ferry Road as it existed before Shelby County paved the road and added the curve which now connects the Old Woods Ferry Road with Shelby County #311. Old Woods Ferry Road is in the same location except for the new curve as it was in 1961. Mr. C.E. Thompson maintained a fence on the north side of the Old Woods Ferry Road. I remember this fence throughout my childhood it being the fence of the Thompson property. It has been regarded in the community that the property north of this fence belonged to C.E. Thompson and the property south of the Old Woods Ferry Road belonged to the Connell's. Until recently there was never any dispute concerning this property.

The small triangle of property bounded by the new curve in Shelby County #71 (Old Woods Ferry Road) and Shelby County #311, and the old road bed of Old Woods Ferry Road, which dead ends into Shelby County #311 belongs to C.E. Thompson and is included in the above described property.

C.E. Thompson has been in actual, open notorious and continuous possession of the above described property since November, 1961, paying taxes on the same.

Further the affiant saith not.

William Wallace Pate

Sworn to and subscribed to before me
this 15 day of November, 1994.

Maretha S. Wilder
Notary Public