

AFFIDAVIT OF ADVERSE POSSESSION

STATE OF ALABAMA
SHELBY COUNTY

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

My name is Louise Maske and I reside at Highway 51, Wilsonville, AL. I have been intimately and closely acquainted with the occupation, use and possession of the hereinafter described land for a period in excess of sixty years, said land being situated in Shelby County, Alabama, and being more particularly described as follows, to-wit:

Property described on Exhibit "A" attached hereto and made part and parcel hereof as fully as if set out herein which said Exhibit "A" is signed by affiant for the purpose of identification.

When I first knew the occupation, use and possession of the above described property, it was in the early 1930's. At the time I first knew the above described property, it was in the sole occupation, use and possession of W. L. Kelley, Sr. The property was under fence and was used for pasture and farming purposes by W. L. Kelley, Sr. for each and every year from the early 1930's up until the death of W. L. Kelley, Sr. in 1965. No other person, firm or corporation was in possession of the above said land or any part thereof during the early 1930's until W. L. Kelley, Sr.'s death in 1965. I have never heard the title of W. L. Kelley, Sr. questioned or disputed in any way. Upon the death of W. L. Kelley, Sr. in 1965, his son, Eugene Kelley, took possession of the property and kept it under fence each and every year, farmed the land, ran cattle on the land and had sole possession up until the death of Eugene Kelley in or about 1982. After the death of Eugene Kelley, the property fell in the possession of the remaining children of W. L. Kelley, Sr. and the property has been farmed by them and cattle run on the farm or it has been leased out to various tenants of the Kelley family from the time of Eugene Kelley's death up to and including the present time.

In summary, from the present time dating back to the early 1930's, the above described property has been in the continuous possession and under fence and farmed each year by W. L. Kelley, Sr. and his children subsequent to his death. No other person has ever been in possession of the same during said period or any part thereof and has not asserted any right or claim to the property during such period of time. The property is recognized throughout the community to be the property of W. L. Kelley, Sr. and his children subsequent to his death.

Louise Maske
Louise Maske, Affiant

W. E. H. F.

10/11/1995-28869
11:20 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 HCD 13.50

Inst # 1995-28869

Sworn to and subscribed to before
me on this 22nd day of September,
1995.

Margie P. Archer

Notary Public

My Commission expires 4-6-96

AFFIDAVIT OF ADVERSE POSSESSION

STATE OF ALABAMA
SHELBY COUNTY

Before me, the undersigned authority, a Notary Public in and for said county, in said State, personally appeared the undersigned affiant, who, after being by me first duly sworn to speak the truth, deposes and says as follows:

My name is Alfred Alverson and I reside on Old Highway 280, Sterrett, Alabama. I have been familiar with the occupation, use and possession of the above described property for a period in excess of sixty years. I have cognizance of the facts and matters stated in the affidavit of Louise Maske above and know that such facts and matters are true and correct. When I first knew this property, it was in the possession of W. L. Kelley, Sr. who had the property under fence in the 1930's and used it as a part of his farm and home place. He kept and maintained the property under fence, alternately grazing cattle and farming the land each and every year up until his death in 1965. Since his death in 1965, the property has continued to be in the sole and exclusive possession of Eugene Kelley and the other W. L. Kelley, Sr. children. No other person, firm or corporation has been in possession of this land or any part thereof during the more than sixty years I have known it and no one else has made any claim of title to such property during said period. The property is recognized throughout the community as being the property and W. L. Kelley, Sr. and, subsequent to his death, his children.

Alfred F. Alverson

Alfred Alverson, Affiant

Sworn to and subscribed to before
me on this 22nd day of September,
1995.

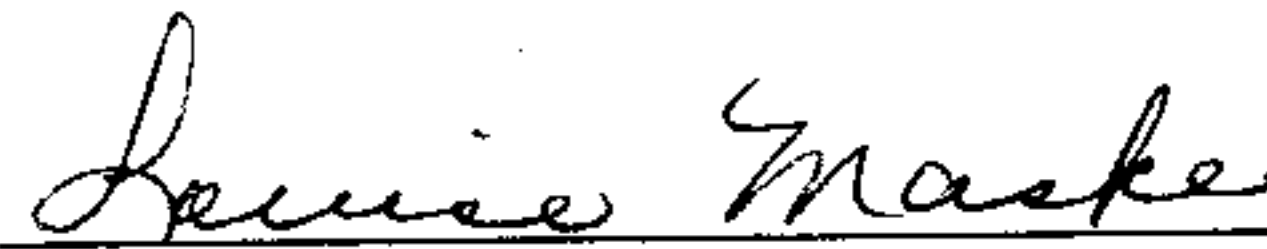
Margie P. Archer

Notary Public

EXHIBIT "A"

Commence at the northwest corner of the northeast quarter of Section 29, Township 19 South, Range 1 East; thence run south along the west boundary line of said quarter section for 3276.50 feet to the south right of way line of U.S. Highway No. 280 and the Point of Beginning; thence continue along last said course for 282.61 feet to the west right of way line of Shelby County Highway No. 51; thence turn an angle of 140 degrees 27 minutes 45 seconds to the left and run along said Shelby County No. 51 for 220.0 feet to the south right of way line of U.S. Highway No. 280; thence turn an angle of 89 degrees 46 minutes 56 seconds to the left and run along said U.S. Highway 280 right of way line for 40.43 feet; thence turn an angle of 40 degrees 23 minutes 33 seconds to the right and run along said road right of way for 94.24 feet; thence turn an angle of 83 degrees 42 minutes 07 seconds to the left and run along said road right of way line for 93.01 feet to the Point of Beginning. Situated in Shelby County, Alabama. According to the survey of Larry W. Carver, Registered Land Surveyor, dated July 14, 1995.

SIGNED FOR IDENTIFICATION:



. Louise Maske, Affiant

Inst # 1995-28869

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11:20 AM CERTIFIED
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