

**AFFIDAVIT OF ADVERSE POSSESSION**

State of Alabama )

County of Shelby )

Before me, the undersigned, a Notary Public, this day personally appeared John Hudson Bouchillon who, after being duly sworn, deposes and says as follows:

1. My name is John Hudson Bouchillon, and I reside at/work with 1717 EAST LAKEVIEW AVE County, PENSACOLA FL. I am over the age of nineteen years and otherwise qualified to execute this affidavit. This affidavit is made on my personal knowledge.

2. I am familiar with the property described on Exhibit "A" which is attached to this affidavit and incorporated herein as if set out in full (the property). I first became familiar with the property during the year 1999 when THE PROPERTY WAS INHERITED BY MY MOTHER AND THEN I PURCHASED IT FROM MY SISTER WHO WAS WORKING AS THE EXECUTRIX OF MY MOTHER'S ESTATE.

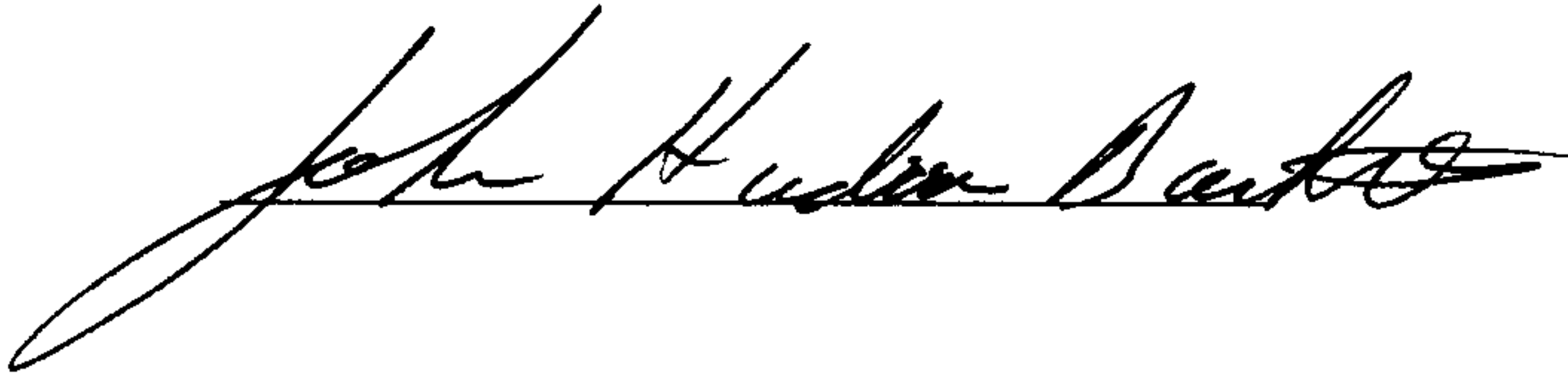
3. When I first became familiar with the property, MY FAMILY did own the property. The boundaries of the property do include a vacated church and a twenty foot strip of land (hereby known as "Right of Way"). The name of the party of interest and ownership of said church of record is "Church of God of Christ of Alabaster, Alabama", as recorded June 13, 1974, in Instrument whose whereabouts are unknown and which cannot be ascertained after the exercise of due diligence, and who are believed to claim some right, title, interest or claim in and to the property described on Exhibit A which is attached hereto and incorporated herein as if set out in full. In addition, it is my true belief the issue with regard to the twenty foot easement access was created due to an error in a past survey. I have made a true attempt to resolve the issue and have spoken to several authorities on the matter. In conclusion, upon review of prior surveys by \_\_\_\_\_ with the State of Alabama Highway Department, the belief stated is that the intent is that the twenty (20) foot easement created is for access.

4. The use and possession of the property by John Hudson Bouchillon, who acquired the property from The Estate of Elizabeth Hines Bouchillon, on April 12<sup>th</sup>, 2002, who owned the property since June 23, 1992, and acquired the property from John A. Hines, Jr., Elizabeth H. Bouchillon, Shearer Ann Anderson, Hugh William Anderson, Jr., and Hugh William Anderson, Sr., on that date, has been open and visible to common observation and they have claimed to be the owner of the property since I first became familiar with the property.

5. I am familiar with the general reputation in the community in which the property is located as to the ownership of the property. John Hudson Bouchillon, who acquired the

property from The Estate of Elizabeth Hines Bouchillon, on April 12<sup>th</sup>, 2002, who owned the property since June 23, 1992, and acquired the property from John A. Hines, Jr., Elizabeth H. Bouchillon, Shearer Ann Anderson, Hugh William Anderson, Jr., and Hugh William Anderson, Sr., is and has been generally reputed to be the owner of the property and I have never heard anyone dispute his ownership or claim to own the property or any interest therein.

Further the Affiant Saith Not.



State of Alabama, Shelby County ss:

On this 28<sup>th</sup> day of January, 2004, I, the said undersigned, a Notary Public in and for said county and in said state, hereby certify that JOHN HUDSON BOUCHILLON, whose name as OWNER for THE PROPERTY (s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me that, being informed of the contents of the conveyance, he, in his capacity as such OWNER executed the same voluntarily as his act for said OWNER OF PROPERTY on the day the same bears date.

Given under my hand and seal of office this 28<sup>th</sup> day of January, 2004.

My commission expires:

  
\_\_\_\_\_  
Notary Public

1/8/17

**EXHIBIT "A"**  
**LEGAL DESCRIPTION OF PROPERTY**

20040202000054190 Pg 3/3 17.00  
Shelby Cnty Judge of Probate, AL  
02/02/2004 15:07:00 FILED/CERTIFIED

A parcel of land lying in the Northwest Quarter of Section 1, Township 21 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the southeast corner of the Northwest Quarter of said Section 1; thence run N 00°00'00" E a distance of 165.82 feet to a 1/2" rebar set and the Point of Beginning; thence run S 26°57'43" W a distance of 178.99 feet to a 1/2" rebar set; thence run N 88°18'12" W a distance of 328.89 feet to an iron pin found; thence run N 00°04'59" W a distance of 419.84 feet to an iron pin found; thence run S 87°47'43" E a distance of 410.81 feet to an iron pin found; thence run S 00°00'00" E a distance of 254.33 feet to the Point of Beginning. Said described property contains 3.79 acres, more or less.