20050630000325380 1/2 \$14.00 Shelby Cnty Judge of Probate, AL 06/30/2005 08:57:43AM FILED/CERT

THIS INSTRUMENT WAS PREPARED BY:

MIKE T. ATCHISON, ATTORNEY AT LAW P.O. 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 <u>a Claude V. Quinn, Jr.</u>, who after being by me first duly sworn, deposes, and says on oath as follows:

My name is <u>laced</u>, <u>leen</u>, and I am over the age of 21 years and familiar with the following facts:

During his lifetime, I was acquainted with C.M. Stuckey, who owned the following described property, to-wit:

That part of the Northeast Quarter of the Southwest Quarter of Section 3, Township 22 South, Range 2 West, described as follows: Beginning at the Southwest corner of the Northeast Quarter of the Southwest Quarter of said Section 3, Township 22 South, Range 2 West, and run thence South 87 degrees and 30 minutes East, a distance of 990 feet; run thence North 3 degrees and 30 minutes West, a distance of 446 feet; thence South 87 degrees and 30 minutes West a distance of 990 feet, more or less, to the West line of said forty acres; run thence South 3 degrees and 30 minutes East, a distance of 446 feet to the point of beginning. Situated in Shelby County, Alabama.

He purchased this property on February 23, 1956 through a tax deed recorded in Deed Book 178, Page 308, in the Probate Office of Shelby County, Alabama. He also purchased through a tax deed recorded in Deed Book 178, Page 309, in the Probate Office of Shelby County, Alabama, the following described property, towit:

The NE 1/4 of the NW 1/4; and 14 acres off of the West side of the SE 1/4 of the NW 1/4, all located in Section 8, Township 19 South, Range 2 East, Shelby County, Alabama. Situated in Shelby County, Alabama.

In addition, C.M. Stuckey purchased a third tract through a tax deed recorded in Deed Book 178, Page 307, in the Probate Office of Shelby County, Alabama. Said property is described as follows:

The South 1/2 of the NW 1/4 of the SE 1/4, Section 6, Township 24 South, Range 2 East, Shelby County, Alabama. Situated in Shelby County, Alabama.

Subsequent to his purchase, C.M. Stuckey walked all three properties on numerous occasions and was very familiar with the property. He died testate on or about the 10/15 day of 1976. His will was probated in the Probate Office of Shelby County, Alabama, leaving everything to his wife, Ernestine Scogin Stuckey. About ten years ago, Mrs. Stuckey and her daughter, Linda Lanzarotta I had the timber cut on all three properties. Mrs. Stuckey died testate on or about the day of _______, 1998, and her will was probated in Jefferson County, Alabama, Case No. 165054.

Since the purchase of all three tracts on February 23, 1956, C. M. Stuckey, Ernestine Scogin Kelley Stuckey, and Linda Gail Kelley Kirkpatrick Lanzarotta have been in open, notorious, hostile, peaceable, continuous, adverse possession the above described tracts of land, paying taxes on the same, walking the properties, and having the timber cut on the properties. I have never heard of any one questioning their ownership of the properties, nor has any other party claimed any interest to the properties.

This affidavit is given to establish the ownership and possession of the above described properties, since the purchase of same by C. M. Stuckey, on February 23, 1956.

Further the affiant saith not.

Affiant

Sworn to and subscribed to before me

this 18th day of september, 2004

Notary Public

My commission expires:

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