

# ADVERSE POSSESSION AFFIDAVIT

STATE OF ALABAMA }

COUNTY OF SHELBY }



20100215000045070 1/4 \$20.00  
Shelby Cnty Judge of Probate, AL  
02/15/2010 01:33:05 PM FILED/CERT

Before us, the undersigned authority in and for the County in said State, personally appeared this day, February 12, 2010, who being by us first duly sworn, deposes and says:

We have been residents of Shelby County, Alabama for at least five years. We are over the age of twenty-one years, am of sound mind and have known and been familiar with the owners of that certain real property described herein:

(See Exhibit "A" attached hereto and made a part hereof).

We have known the property described herein, its owners and its use since 2005. The captioned property was acquired through the years by **Jeffrey L. Hamner and wife Traci L. Hamner**. We personally know both Mr. & Mrs. Hamner and know that they have mowed and maintained the grass on this same property. We are not aware of any use of hazardous materials used on the property herein described by the Hamner Family.

To the best of our knowledge, we have never known anyone to claim title to the captioned property since the Hamner family. To the best of our knowledge, the Hamner family has paid taxes and owned the property through the years, and held the captioned property in actual, open, hostile, exclusive, notorious and continuous possession since June 10, 2005, and we have never known of any boundary line disputes to any of the property during their years of ownership.

  
Terry Gallups

  
Vicki G. Gallups

Sworn to and subscribed before me this 12<sup>th</sup> day of FEBRUARY, 2010.


  
Notary Public State at Large

My commission expires: 6.5.10

[Notary Seal]

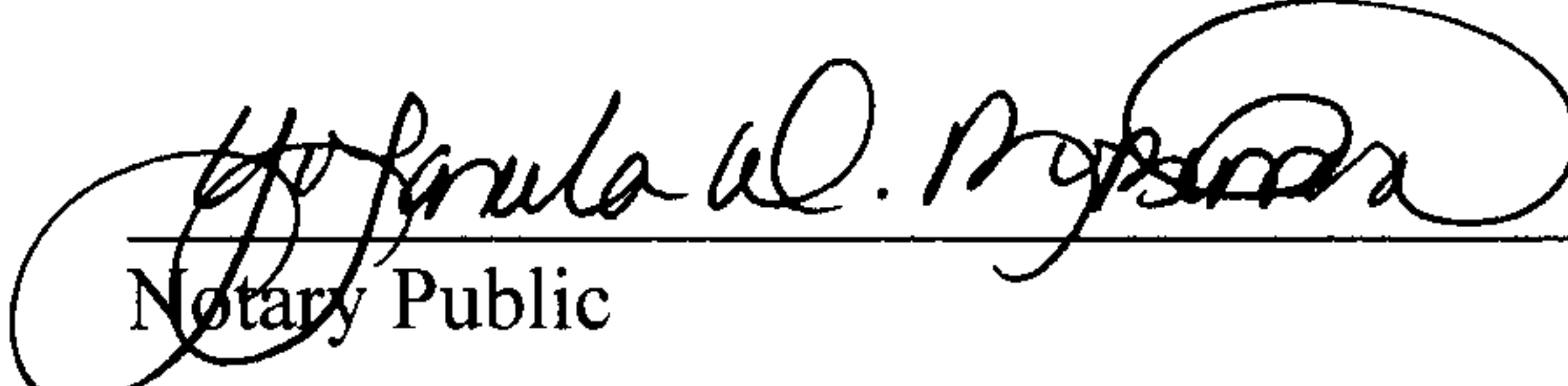
STATE OF ALABAMA

COUNTY OF JEFFERSON

  
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I, **Yolanda D. Robinson**, a notary public in and for said county in said state, hereby certify that **Terry Gallups and Vicki G. Gallups, husband and wife** whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of such instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 12<sup>th</sup> day of FEBRUARY, 2010.

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


[Notary Seal]

My Commission Expires: 6.5.10



## EXHIBIT "A"

### Boundary Description Shelby County, Alabama

  
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### Section 31 Fractional Township 20 South, Range 02 East Section 36 Township 20 South, Range 01 East

A tract of land located in a portion of the South 1/2 of the Northwest 1/4 of Section 31, Fractional Township 20 South, Range 02 East and in a portion of the Southeast 1/4 of the Northeast 1/4 of Section 36, Township 20 South, Range 01 East, being more particularly described as follows:

Begin at the Southwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 31, Fractional Township 20 South, Range 02 East, marked by a found 1 1/4 inch solid iron; thence North 89°35'47" West a distance of 301.46 feet along the South line of the Southeast 1/4 of the Northeast 1/4 of Section 36, Township 20 South, Range 01 East to a point on the easterly right-of-way line of Shelby County Road #61-N. Main Street (having an 80 foot right-of-way), marked by a found 1 1/4 inch solid iron; thence North 02°24'27" West a distance of 241.40 feet along the easterly right-of-way line of said road to a found 5/8 inch rebar; thence North 02°42'58" West a distance of 158.33 feet along the easterly right-of-way line of said road to a found 1 1/2 inch yellow capped rebar stamped "LS#12495"; thence leaving said road right of way and run North 80°18'26" East a distance of 1024.79 feet to a found 1 1/2 inch yellow capped rebar stamped "LS#12495"; thence North 00°16'27" West a distance of 530.03 feet to a found 1/2 inch yellow capped rebar; thence South 89°35'52" East a distance of 752.93 feet to a point on the southwesterly right-of-way line of a Southern Electric Generating Company railroad, marked by a found 5/8 inch yellow capped rebar stamped "LH King#12437"; thence South 50°19'50" East a distance of 635.78 feet along the southwesterly right-of-way line of said railroad, to a point on the southeasterly line of an existing Alabama Power Company transmission line right-of-way, marked by a set 5/8 inch capped rebar stamped "APCO"; thence South 80°10'42" West a distance of 136.56 along the southeasterly line of said transmission line right-of-way to a set 5/8 inch capped rebar stamped "APCO"; thence leaving said transmission line right-of-way and run South 19°56'33" West a distance of 725.59 feet to a point on the south line of the Southeast 1/4 of the Northwest 1/4 of said Section 31, marked by a set 5/8 inch capped rebar stamped "APCO"; thence North 89°32'58" West a distance of 229.11 feet along the south line of said Southeast 1/4 of the Northwest 1/4 of Section 31 to the Southeast corner of the Southwest 1/4 of the Northwest 1/4 of said Section 31, Fractional Township 20 South, Range 02 East, marked by a found 1 1/4 inch solid iron; thence North 89°32'08" West a distance of 1319.73 feet along the south line of the Southwest 1/4 of the Northwest 1/4 of said Section 31 to the point of beginning.

Said tract containing 36.52 acres, more or less.


Said parcel is subject to a strip of land, 50 feet in width, for access easement, located in a portion of the South 1/2 of the Northwest 1/4 of Section 31, Fractional Township 20 South, Range 02 East and in a portion of the Southeast 1/4 of the Northeast 1/4 of Section 36,



Township 20 South, Range 01 East,, Township 20 South, Range 01 East, being more particularly described as follows:

Commence at the Southwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 31, Fractional Township 20 South, Range 02 East, marked by a found 1 1/4 inch solid iron; thence North 89°35'47" West a distance of 301.46 feet along the South line of the Southeast 1/4 of the Northeast 1/4 of Section 36, Township 20 South, Range 01 East to a point on the easterly right-of-way line of Shelby County Road #61-N. Main Street (having an 80 foot right-of-way), marked by a found 1 1/4 inch solid iron; thence North 02°24'27" West a distance of 52.03 feet along the easterly right-of-way line of said road to a point in the centerline of an existing gravel road; said point also being the **Point of Beginning** of a survey line used to describe the said strip of land, for access easement, hereinafter described; therefrom, the access easement is 50 feet in width and lies 20 feet southerly (right) and 30 feet northerly (left) of said survey line, and the continuations thereof, which begins at such point of beginning; thence continue along the centerline of said gravel road the following chord bearings and chord distances:

North 76°32'22" East a distance of 53.30 feet to a point;  
North 68°52'51" East a distance of 150.88 feet to a point;  
North 76°57'56" East a distance of 67.09 feet to a point;  
North 89°40'02" East a distance of 93.46 feet to a point;  
South 88°34'00" East a distance of 83.29 feet to a point;  
South 79°02'47" East a distance of 72.71 feet to a point;  
South 70°11'20" East a distance of 162.90 feet to a point;  
South 81°43'52" East a distance of 38.19 feet to a point;  
North 83°46'46" East a distance of 52.30 feet to a point;  
North 89°01'02" East a distance of 60.54 feet to a point;  
South 79°24'11" East a distance of 66.62 feet to a point;  
South 78°21'26" East a distance of 50.33 feet to a point;  
South 83°42'02" East a distance of 59.65 feet to a point;  
South 79°20'07" East a distance of 67.18 feet to a point;  
North 87°14'23" East a distance of 58.52 feet to a point;  
North 86°07'34" East a distance of 71.15 feet to a point;  
South 85°25'20" East a distance of 125.97 feet to a point;  
North 79°42'27" East a distance of 102.85 feet to a point;  
North 87°39'16" East a distance of 46.65 feet to a point;  
South 81°43'37" East a distance of 100.45 feet to a point;  
South 84°19'42" East a distance of 72.39 feet to a point;  
South 85°49'46" East a distance of 71.80 feet to a point;  
South 89°07'23" East a distance of 111.46 feet to a point;  
South 84°58'40" East a distance of 53.71 feet

  
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to a point, said point being the ending of said strip of land, for access easement herein described.

Said strip of land, for access easement, containing 2.18 acres, more or less.

All bearings based on Alabama State Plane West Zone Grid North.

Situated, lying, and being in Shelby County, Alabama.