

AFFIDAVIT OF ADVERSE POSSESSION

STATE OF ALABAMA  
COUNTY OF SHELBY

Before me, the undersigned authority in and for said County and State personally appeared Bruce A. Burttram, who is known to me and who being first by me duly sworn, deposes and says as follows:

That he is over 19 years of age and his family has continuously owned property located at 664 Stoney Ridge Trail, Columbiana, AL 35051 from 1962 to the date of this Affidavit. That he is familiar with the properties in the surrounding area. That he became personally acquainted with J. Thomas Holton in the year 1978.

The Affiant further states that during his family's ownership, Harlan Browning purchased, at tax sale, 4.32 acres +/- of vacant land on Arabian Rd., Columbiana, AL 35051, being more particularly described in Exhibit "A" attached hereto and made a part hereof. That Harlan Browning was conveyed the property by tax deed dated 10/30/1989. That Harlan Browning conveyed his interest in said property to W. D. Upton and Ann Y. Upton by deed dated 7/29/1991. That W. D. Upton and Ann Y. Upton conveyed their interest in said property to J. Thomas Holton by deed dated 12/30/1997. That J. Thomas Holton was in the continuous, actual, open, notorious, adverse, peaceful and exclusive possession of this property claiming to own the same from the year 1997 to the present time. He has assessed and paid taxes on said property during this time.

The Affiant further states that he has known this property for 53 years and during all the time that he has known said property has never known or heard of anyone disputing the ownership of Harlan Browning, W. D. Upton, Ann Y. Upton, J. Thomas Holton or anyone making any claim of any part thereof.

In Witness Whereof, I have hereunto set my hand and seal on this 10<sup>th</sup> day of April, 2015.

Bruce A Burttram  
Affiant

Sworn to and subscribed before me this 10<sup>th</sup> day of April, 2015.

This instrument prepared by:  
B. Christopher Battles  
3150 Hwy. 52 W., Pelham, AL 35124

Hugh Henderson  
Notary Public  
My Commission Expires: 5/7/15  
Notary Public - Alabama -  
State at Large



**EXHIBIT "A"**

**Legal Description:**

A parcel of land lying in the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 21 South, Range 2 West, Shelby County, Alabama, more particularly described as follows:

Begin at the Northwest corner of the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 21 South, Range 2 West; thence run Southerly along the West boundary of said Northeast 1/4 of the Southwest 1/4 for a distance of 565.75 feet to a point; thence turn an angle of 90 degrees 56 minutes to the left and run Easterly for a distance of 206.21 feet to a point; thence turn an angle of 44 degrees 33 minutes 41 seconds to the left and run Northeasterly for a distance of 651.89 feet to a point; thence turn an angle of 126 degrees 08 minutes 38 seconds to the left and run a distance of 670.27 feet to the point of beginning.

**Less and except:**

Commence at the Northwest corner of the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 21 South, Range 2 West; thence run Southerly along the West boundary of said Northeast 1/4 of the Southwest 1/4 for a distance of 565.75 feet to a point; thence turn an angle of 90 degrees 56 minutes to the left and run Easterly for a distance of 206.21 feet to a point; thence turn an angle of 44 degrees 33 minutes 41 seconds to the left and run Northeasterly for a distance of 651.89 feet to a point; thence turn an angle of 126 degrees 08 minutes 38 seconds to the left and run a distance of 115.00 feet to the point of beginning of the parcel herein described; thence continue along the last described course for 441.77 feet to a point; thence turn an angle of 102 degrees 49 minutes 40 seconds to the left and run 70.26 feet; thence turn an angle of 27 degrees 43 minutes 27 seconds to the left and run 41.88 feet; thence turn an angle of 36 degrees 53 minutes 26 seconds to the left and run 53.14 feet; thence turn an angle of 17 degrees 48 minutes 24 seconds to the left and run 115.07 feet; thence turn an angle of 14 degrees 36 minutes 21 seconds to the left and run 146.54 feet; thence turn an angle of 8 degrees 44 minutes 12 seconds to the left and run 107.81 feet to the point of beginning.

**Also, less and except:**

Commence at the Northwest corner of the Northeast 1/4 of the Southwest 1/4 of Section 11, Township 21 South, Range 2 West; thence run Southerly along the West boundary of said Northeast 1/4 of the Southwest 1/4 for a distance of 565.75 feet to a point; thence turn an angle of 90 degrees 56 minutes to the left and run Easterly for a distance of 206.21 feet to a point; thence turn an angle of 44 degrees 33 minutes 41 seconds to the left and run Northeasterly for a distance of 70.00 feet to the point of beginning of the parcel herein described; thence continue along the last described course 581.89 feet to a point; thence turn an angle of 126 degrees 08 minutes 38 seconds to the left and run 35.00 feet to a point; thence turn an angle of 54 degrees 59 minutes 36 seconds to the left and run 551.35 feet to a point; thence turn an angle of 58 degrees 51 minutes 46 seconds to the left and run 20.00 feet to the point of beginning.



Filed and Recorded  
Official Public Records  
Judge James W. Fuhrmeister, Probate Judge,  
County Clerk  
Shelby County, AL  
04/20/2015 01:21:59 PM  
\$17.00 CHERRY  
20150420000127000

A handwritten signature in black ink, appearing to read "James W. Fuhrmeister", is written over the official text.