

20221108000418000  
11/08/2022 03:37:27 PM  
AFFID 1/1

THIS INSTRUMENT WAS PREPARED BY: MIKE T. ATCHISON, ATTORNEY AT LAW, INC.  
P.O. BOX 822  
COLUMBIANA, AL 35051

STATE OF ALABAMA  
SHELBY COUNTY

AFFIDAVIT OF ADVERSE POSSESSION

Before me, the undersigned authority, a Notary Public in and for said County, in said State, personally appeared Lou Ann R. Graves, who after being by me duly sworn, deposes, and says on oath as follows:

My name is Lou Ann R. Graves and I am over the age of 19 years and of sound mind. I am familiar with the following facts:

Lou Ann R. Graves and Carolyn Jaye R. Hayes are the owners of the following described property, to-wit:

BEGIN AT A FOUND 1/2" REBAR CAPPED "B-MARTIN" LOCALLY ACCEPTED AS THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 20 NORTH, RANGE 1 WEST, SHELBY COUNTY; THENCE RUN S 00°13'18" W A DISTANCE OF 181.88 FEET TO A FOUND 1/2" REBAR CAPPED "SM ALLEN"; THENCE RUN N 87°17'50" W A DISTANCE OF 272.26 FEET A FOUND 1/2" REBAR; THENCE RUN S 28°40'45" W A DISTANCE OF 227.18 FEET TO A SET 5/8" REBAR CAPPED "CLINKSCALES" ON THE NORTHERN RIGHT OF WAY OF SALSER LANE (SHELBY COUNTY HIGHWAY NO. 447); SAID POINT BEING ON A CURVE TO THE LEFT HAVING A RADIUS OF 409.18 FEET, A DELTA ANGLE OF 25°20'34", A CHORD BEARING OF N 46°20'22" W, AND A CHORD DISTANCE OF 179.51 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE AND RIGHT OF WAY FOR A DISTANCE OF 180.99 FEET TO A SET 5/8" REBAR CAPPED "CLINKSCALES"; THENCE CONTINUE ALONG SAID RIGHT OF WAY N 56°56'48" W A DISTANCE OF 323.67 FEET TO A SET 5/8" REBAR CAPPED "CLINKSCALES"; SAID POINT BEING ON A CURVE TO THE RIGHT HAVING A RADIUS OF 469.59 FEET, A DELTA ANGLE OF 20°22'48", A CHORD BEARING OF N 47°07'28" W, AND A CHORD DISTANCE OF 186.15 FEET; THENCE RUN ALONG THE ARC OF SAID CURVE AND RIGHT OF WAY FOR A DISTANCE OF 167.03 FEET TO A SET 5/8" REBAR CAPPED "CLINKSCALES"; THENCE CONTINUE ALONG SAID RIGHT OF WAY N 36°41'28" W A DISTANCE OF 182.50 FEET A SET 5/8" REBAR CAPPED "CLINKSCALES"; THENCE LEAVING SAID RIGHT OF WAY, RUN N 00°45'16" E A DISTANCE OF 18.90 FEET TO A FOUND 1/2" REBAR UNDER AN AXLE; THENCE RUN N 88°16'04" E A DISTANCE OF 1105.35 FEET TO A FOUND 1" OPEN TOP PIPE UNDER AN AXLE; THENCE RUN S 03°15'16" W A DISTANCE OF 251.87 FEET TO A FOUND 1" OPEN TOP PIPE; THENCE RUN S 89°37'51" W A DISTANCE OF 71.25 FEET TO THE POINT OF BEGINNING.

I know that Massie Salsar, the widow of S.D. Salsar, conveyed the above parcel and additional property to William E. Rakestraw and wife, Eloise Rakestraw, as shown by deed dated August 29, 1961, recorded in Deed Book 217, Page 22,2, and by corrective deed dated June 15, 1981, recorded in Deed Book 333, Page 319, in Probate Office. Subsequently Eloise Rakestraw conveyed the property to the present owners, by deed recorded in Instrument #1994-271, in Probate Office. I have been shown an old survey by Joe Conn, from around 1884, that shows the accepted East line of the NE 1/4 of the SE 1/4, Section 1, Township 20 South, Range 1 West, lying considerably East of the current location. I know that Lou Ann R. Graves and Carolyn Jaye R. Hayes have been in actual, adverse, open possession of said property, maintaining the property, managing the timber thereon, and paying taxes on the same since the purchase of the land in 1994. The boundary line has always been accepted by the adjoining property owners, Elvis Walton, and his successors in title, Charles F. Lewis, III and Robbie H. Lewis. The Waltons and the Lewises maintain a fence along the accepted boundary between the two properties. There has never been any attempt by any party to claim possession and ownership of the property, and specifically no attempt by Charles F. Lewis, III and Robbie H. Lewis.

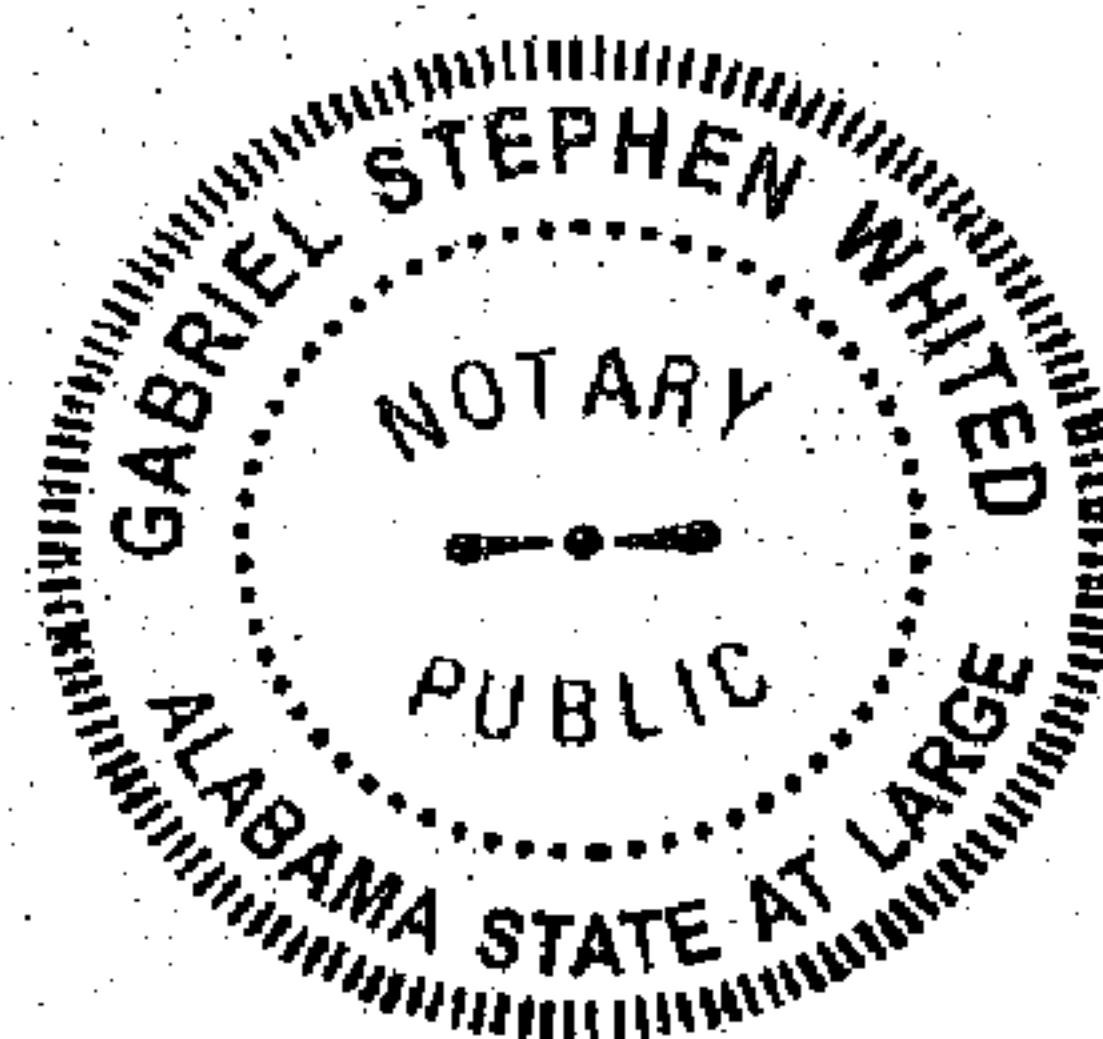
This affidavit is given to induce Shelby County Abstract & Title Company, Inc., to issue its title policy in Case No. S-22-28765.

Further the affiant saith not.

Sworn to and subscribed to before me  
This 8 day of November, 2022.

Mahil Stephen White  
Notary Public

My commission expires: 08/06/2025



Filed and Recorded  
Official Public Records  
Judge of Probate, Shelby County Alabama, County  
Clerk  
Shelby County, AL  
11/08/2022 03:37:27 PM  
\$30.00 JOANN  
20221108000418000

Allen S. Bayl