

Poor Quality

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

STATE OF ALABAMA
SHELBY COUNTY

AFFIDAVIT OF HEIRSHIP AND ADVERSE POSSESSION

Before me, the undersigned authority, a Notary Public, in and for said County, in said State, personally appeared Tina L. Fountain, who after being by me first duly sworn, deposes and says on oath as follows:

My name is Tina L. Fountain, and I am 63 years of age, and am familiar with the following facts:

I am one of the current owners of the following described property, to-wit:

Commence at a rock pile being the Northwest corner of the Northeast One-Fourth of the Northeast One-Fourth of Section 10, Township 18 South, Range 1 East, Shelby County, Alabama, said point being the point of beginning; from this beginning point, proceed South 87 degrees 20 minutes 00 seconds East along the North boundary of said Quarter-Quarter Section for a distance of 689.09 feet to a rock pile in place, said point being the Northeast corner of the West One-Half of said Northeast One-Fourth of the Northeast One-Fourth; thence proceed South 00 degrees 45 minutes 02 seconds West along the East boundary of said West One-Half of said Quarter-Quarter Section for a distance of 1345.53 feet to a 1/2-inch rebar in place, said point being the Southeast corner of said West One-Half of said Quarter-Quarter Section; thence proceed South 88 degrees 18 minutes 32 seconds West along the South boundary of said Northeast One-Fourth of the Northeast One-Fourth for a distance of 687.77 feet to a 1-inch pipe in place, said point being the Southwest corner of said Quarter-Quarter Section; thence proceed North 00 degrees 41 minutes 13 seconds East along the West boundary of said Quarter-Quarter Section for a distance of 1397.87 feet to the point of beginning.

The above described land is located in the West One-Half of the Northeast One-Fourth of the Northeast One-Fourth of Section 10, Township 18 South, Range 1 East, Shelby County, Alabama.

ALSO, a 20-foot easement being 20-feet in equal width on the East side of the following described line: Commence at a 1-inch pipe in place being the Southwest corner of the Northeast One-Fourth of the Northeast One-Fourth of Section 10, Township 18 South, Range 1 East, Shelby County, Alabama, said point also being the Northwest corner of the Southeast One-Fourth of the Northeast One-Fourth of said Section 10 and being the point of beginning of said 20-foot easement; from this beginning point proceed South 00 degrees 06 minutes 26 seconds East along the West boundary of said Section 10 and along the West boundary of said 20-foot easement for a distance of 614.69 feet; thence proceed South 02 degrees 09 minutes 48 seconds East along the West boundary of the Southeast One-Fourth of the Northeast One-Fourth of said Section 10 and along the West boundary of said 20-foot easement for a distance of 299.84 feet to a point on the Northerly right of way of Alabama Highway #25, said point being the termination of said 20-foot easement.

According to survey of Christopher M. Ray, RLS #26017, dated February 7, 2025.

The above described parcel of land is the same property that was conveyed in Paragraph One of the legal description, contained in the deed from Instrument #2000-39965, which is a deed from my mother, Peggy June Whitfield, to Tina W. Fountain and Ray Fountain. This deed omitted an easement that was retained across the property described in Instrument #1996-19730, as well.

It has been brought to my attention that there is no marital status contained in the deed to Brookhaven Studio, LLC, a Georgia limited liability company, as recorded in Instrument #20140402000094200, in Probate Office. This is to establish that as of March 13, 2014, the date of the execution of said deed, Tina W. Fountain and Ray Fountain were wife and husband. This deed also has errors in the legal description, which should have been as follows:

TUF JRF

Poor Quality

The West ½ of the NE ¼ of NE ¼, all in Section 10, Township 18 South, Range 1 East. ALSO conveyed herein is an easement 20-feet in width and lying on the West side of the following describe property: Start at the SW corner of SE ¼ of NE ¼ of Section 10, Township 18 South, Range 1 East, run North 2 degrees 30 minutes West 660 feet to a point of beginning; thence North 87 degrees 30 minutes East 660 feet; thence North 2 degrees 30 minutes West 660 feet; thence South 87 degrees 30 minutes West 660 feet; thence South 2 degrees 00 minutes East 660 feet.

Together with an easement over the West 20-feet of the property conveyed in Instrument #1996-19730, in Probate Office.

These errors were carried forward in the deed recorded in Instrument #20170113000017830, in Probate Office, which is a deed returning title to Tina L. Fountain and Jolly R. Fountain, who are one the same persons as Tina W. Fountain and Ray Fountain, respectively.

My husband and I have been in open, notorious, continuous, and adverse possession of the above described parcel since our purchase in 2000, either in our names individually or in the limited liability company that we owned. We have managed the lands, paying taxes on the same during the period from 2000 to current date. We have never had anyone make any claim or question our ownership of the property.

The foregoing is true to the best of my knowledge and belief.

Further the affiant saith not.

Tina L. Fountain
Tina L. Fountain

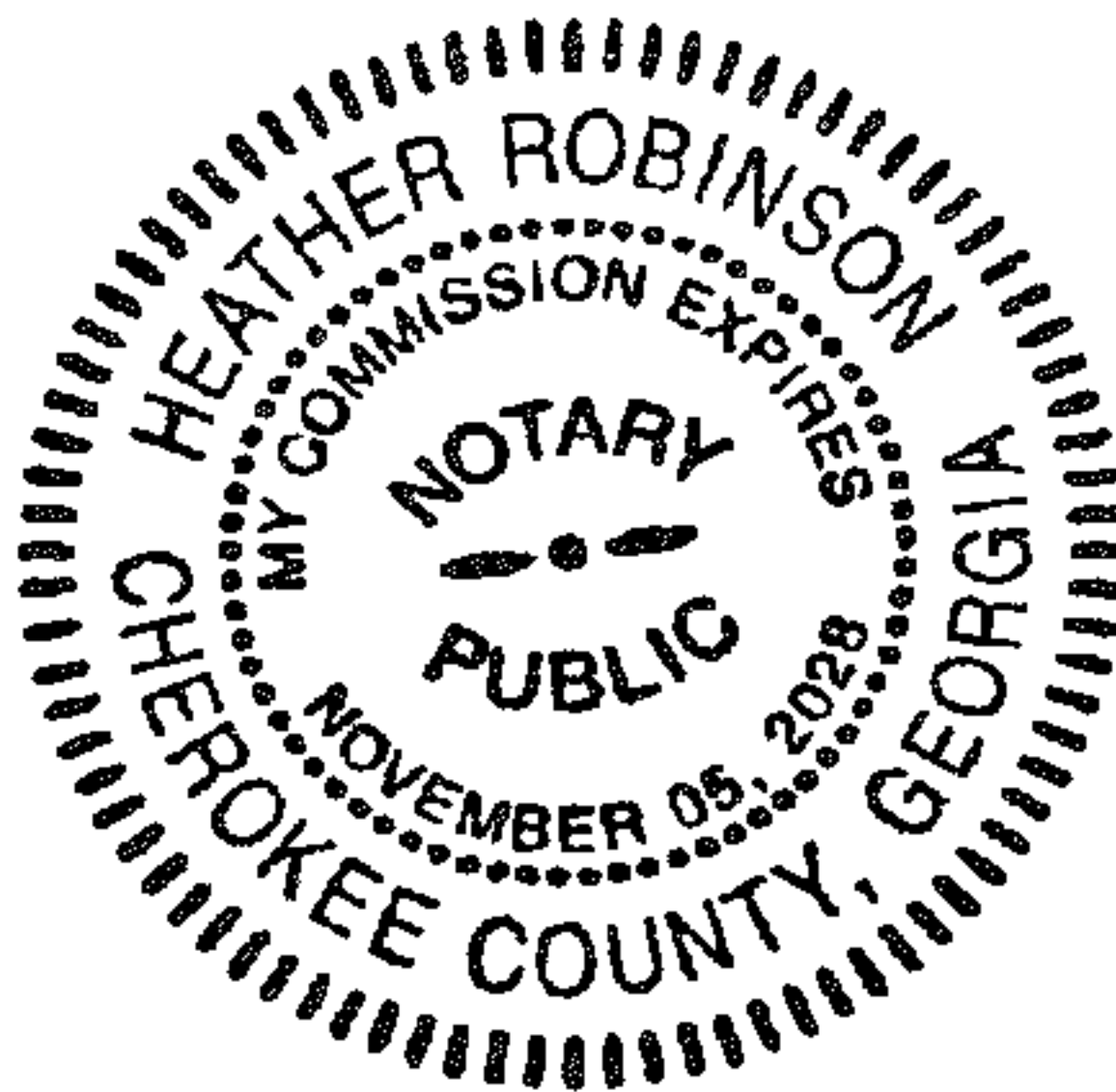
Sworn to and subscribed to before me

This 12th day of March, 2025.

Heather Robinson

Notary Public

My commission expires: 11/05/2028



Filed and Recorded
Official Public Records
Judge of Probate, Shelby County Alabama, County
Clerk
Shelby County, AL
03/17/2025 09:54:49 AM
\$29.00 PAYGE
20250317000078450

Allen S. Bayl

TLC JPD