



STATE OF ALABAMA     )

JEFFERSON COUNTY     )

**AFFIDAVIT OF ADVERSE POSSESSION**

Before me, the undersigned, a Notary Public, this day personally appeared Randi Tubbs Northcutt, who, after being duly sworn, deposes and says as follows:

1. My name is Randi Tubbs Northcutt, and I reside in Shelby County, Alabama. I am over the age of nineteen years and competent to execute this affidavit. This affidavit is made and based upon facts that are within my personal knowledge.

2. I am familiar with the Property described as set forth in Exhibit A, which is attached to this affidavit and incorporated herein by said reference (the "Property"). I first became familiar with the Property after March 19, 1977 ("Date of Possession"), when my grandparents, Richard S. Fix, also known as Richard Snow Fix, Richard S. Fix, Sr., and Richard Snow Fix, Sr., and Jo Anne D. Fix (collectively, my "Grandparents"), were conveyed title to and received possession of the Property by and from Marshall R. Davis and wife, Gloria F. Davis, pursuant to that certain Warranty Deed, Jointly For Life with Remainder to Survivor, as found filed and recorded in Book 304, page 541, in the Office of the Judge of Probate of Shelby County, Alabama, on April 1, 1977. I have resided near the Property since I first became familiar with the Property around thirty-five (35) years ago and have visited the Property often since that time. I became familiar with the Property sometime in 1990, when visiting my Grandparents at their home. At that time, I personally knew that my Grandparents claimed ownership of the Property. I became more familiar with the Property when my mother and father built a home ("Residence") on Lot 3 ("Lot 3") of the Fix Family Subdivision, mentioned below, where I lived at the Residence until sometime in 2007. I would walk from my Residence through Lot 4 of the Fix Family Subdivision to my Grandparents' home. In 2024, I researched public records for Shelby County, Alabama, and confirmed my Grandparents' ownership in the Property. I now reside at and have owned the Residence since sometime in 2022.

3. Since the Date of Possession, together, my Grandparents, as husband and wife, were in continuous, actual, open, notorious, without interruption, adverse, peaceful, exclusive possession of the Property during which such time, my Grandparents claimed ownership of the Property, in its entirety. My grandmother, Jo Anne D. Fix (my "Grandmother"), died on July 5, 2022. After my Grandmother's death, my grandfather, Richard S. Fix, Sr. (my "Grandfather"), was in continuous, actual, open, notorious, without interruption, adverse, peaceful, exclusive possession of the Property and continued to claim ownership of the Property until his death on April 14, 2024. Presently, the Property is a part of the probate estate of the Estate of Richard S. Fix, aka Richard Snow Fix, deceased, Shelby County Probate Estate Case No. PR-2024-000643, as the owner of the Property. From the time I have been familiar with the Property (sometimes





herein referred to as “over said years”), I have known the boundaries of the Property to be clear and undisputed. Furthermore, over the said years, I heard my Grandparents refer to the Property exclusively as their own. I have observed my Grandparents and other family members use the Property during family gatherings, holidays, and on other occasions as a place of recreation and relaxation. During that time, I also observed my Grandparents maintaining the Property. I have personally researched public records and found that my Grandparents have either jointly and/or individually paid ad valorem taxes on the Property for the duration of the time that they have owned the Property. I have witnessed my Grandparents use and possess the Property as their own real estate, continuously and without interruption, since I first became familiar with the Property. I have never observed the Property being used or possessed by anyone other than my Grandfather and Grandmother since I first became familiar with the Property.

4. The use and possession of the Property by my Grandparents have been open and visible to common observation, and my Grandparents have claimed to be the owners of the said Property since I first became familiar with the Property. In addition, my Grandparents had the Property resurveyed and subdivided, naming it the Fix Family Subdivision (“Fix Family Subdivision”) as set forth in Map Book 16, Page 97, which was signed by my Grandparents as owners and filed of record in the Office of the Judge of Probate of Shelby County, Alabama, on September 11, 1992. Also, my parents built the Residence that is located on Lot 3 sometime in 1992. My parents are now deceased, and I inherited Lot 3 and the Residence from my parents sometime in 2022.

5. In addition to the acts of use and possession referred to above, I have observed my Grandparents, over said years, using the Property as an owner or owners would, maintaining the Property, erecting other structures on the Property, such as a wooden structure or replica of a well, visibly maintaining the Property, working on the Property, avoiding any long absences from or abandonment of the said Property, and keeping the Property clean and kept.

6. I am familiar with the general reputation in the community, in which the Property is located, as to the ownership of the Property. My Grandparents were generally and regularly reputed to be the undisputed owners of the Property. Neither I nor anyone I know has ever heard anyone dispute my Grandfather’s or my Grandmother’s ownership or claim to own the Property in its entirety.

Further, the Affiant Saith Not.

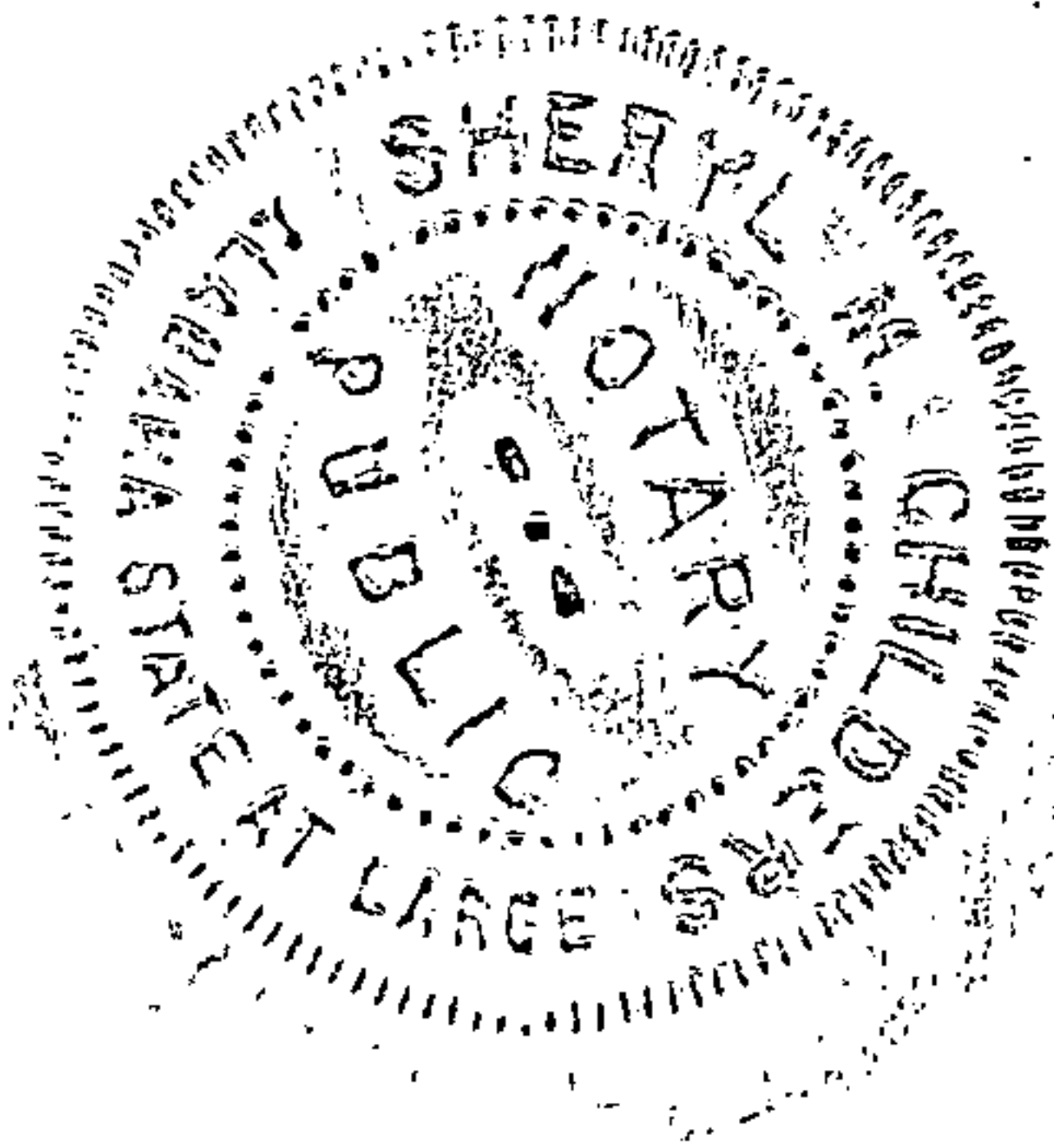
AFFIANT:

  
Randi Tubbs Northcutt



20251003000305580 3/4 \$36.00  
Shelby Cnty Judge of Probate, AL  
10/03/2025 09:56:23 AM FILED/CERT

Given under my hand and official seal this 2nd day of October, 2025.



*Sheryl M Childers*

Sheryl M. Childers  
Notary Public for the State of Alabama  
My Commission Expires: March 8, 2026



20251003000305580 4/4 \$36.00  
Shelby Cnty Judge of Probate, AL  
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## EXHIBIT A

(Legal Description)

Lots 1, 2, and 4 of the survey of Fix Family Subdivision, as recorded in Map Book 16, Page 97,  
in the Office of the Judge of Probate of Shelby County, Alabama.