

State of Alabama,

2835

Shelby County.

Before the undersigned authority personally appeared J. L. Isbell, who is known to me and who being by me first duly sworn deposes and says:

I am acquainted with the following described property situated in Shelby County, Alabama, Viz:

SE $\frac{1}{4}$ of Section 27, and N $\frac{1}{2}$ of NE $\frac{1}{4}$
of Section 34, All in Township 21, Range
1 West, Shelby County, Alabama.

I have known said land for more than thirty years. On February 17, 1925, L. H. Ellis and myself were in possession of said property, claiming to own it and on that date we executed deeds to show that each owned a half interest in said property. These deeds are recorded in the Probate Office of Shelby County, Alabama, respectively in deed book 78 at pages 67 and 72. During the year 1925 both L. H. Ellis and myself cultivated portions of said land, and we did likewise during the year 1926.

On the 17th day of July, 1926, I executed a deed conveying my half interest in the property to my wife Mary S. Isbell, and this deed is recorded in deed book 79, page 160. My wife, Mary S. Isbell, from the date of that deed went into possession of said property/ claiming to own it and exercising acts of ownership over it and cultivation portions of it each and every year,/ until said
so deeded to her
along with the said L.H. Ellis

L. H. Ellis deeded his half interest to my wife, Mary S. Isbell, on October 14, 1933, which deed is recorded in the Probate Office of Shelby County, Alabama, in deed book 94 at page 274. Immediately upon the execution of the last mention deed my wife went into possession of the entire interest in said land and remained in the actual, open, notorious, continuous, exclusive, adverse possession of the same, having portions of it cultivated each and every year down to the present time, except, of course, such portions as she deeded away to E. L. Horton and Miles J. McGhee, and except a few other portions of tracts of land sold to others whose deeds apparently have not been recorded. A parcel of said land was deeded by my wife to E. L. Horton on December 3, 1946, which deed is recorded in the Probate Office of Shelby County, Alabama, in deed book 125 at page 501.

Another parcel of said land was deeded by my wife to E. L. Horton on the 18th day of June, 1946, which deed is recorded in the Probate Office of Shelby County, Alabama, in deed book 125 at page 502.

A portion of said land was deeded by my wife to Arhtur Moore, a portion to J. T. Johnson, and a portion to J. M. Crawford.

Aside from the parcels of said land which my wife actually deeded away she remained in possession of a half interest in the balance of it, cultivating portions of it each and every year from July 17, 1926, down to the present time, and from February 19, 1925 down to October 14, 1933, said L.H. Ellis was in possession of a half interest in said property and cultivated portions of it each and every year under his claim of ownership, and until he deeded my wife his half interest.

As a matter of fact my wife, Mary S. Isbell, and those under whom she claims title have been in possession of said property, claiming to own it, and cultivating portions of it, or haveing it done each and every year for practically thirty years, and during all of that time no other person, firm, or corporation has been in possession of said property or any portion thereof except my wife and those under whom she claims title, viz: myself and L. H. Ellis, and for the last twenty-five years or more it has been regularly assessed for taxation by my wife or her predecessors in title, viz: myself and L. H. Ellis, each and every year down to the present time and taxes paid on the same during the last twenty-five years or more. My wife's possession of said property and those through whom she derived title, viz: Myself and L. H. Ellis has been actual, exclusive, open, notorious, continuous and adverse, with portions of it cultivated each and every year, and with tennants upon it for a great number of years.

My wife deeded to E. H. Horton the following portion of said property on the 3rd day of December, 1946, viz:

Lot in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 34, Township 21, Range

1 West, begin at intersection of east line with north line of highway # 25 and run west 85 feet; thence N $\frac{1}{2}$ 170 yards to east line of 40 acres; thence south to beginning.

Also lot in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 34, Township 21, Range 1

West; Begin 70 yards east of intersection of west line with north line of highway #25 and run east 88 yards to a road; thence north along road 140 yards; thence west 75 yards, more or less, to NE corner of E. L. Horton lot; thence south to beginning, situated in Shelby County, Alabama.

This deed is recorded in the Probate Office of Shelby County, Alabama, in deed book 125 at page 501.

My wife, said Mary S. Isbell, known as M. S. Isbell, and her predecessors in title, viz: myself and L. H. Ellis, have been in the actual, open, notorious, continuous, exclusive, adverse possession of said property last above described as aforesaid for more than twenty-five years with

portions of it being cultivated each and every year down to the present time, or when it was not actually cultivated other portions of the SE $\frac{1}{4}$ of Section 27 and N $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 34 were so cultivated for more than twenty-five years prior hereto.

J.L. Isbell

Sworn and subscribed to before me
on this the 3rd. day of April, 1948;

Marie Collins
Notary Public

Filed for record in my office on the 14th day of April, 1948 at 8 A.M. and recorded in Deed Record
133 page 395 on this the 14th day of April, 1948.

L. C. Walker,

Probate Judge

No Pay Due