

#4221

BOOK 147 PAGE 534

STATE OF ALABAMA,

SHELBY COUNTY.

Before the undersigned authority personally appeared Pat J. Kroll, who is known to me and who being by me first duly sworn does depose and say:

I am acquainted with the following described property, viz:

Begin at a point on the south or southerly side of Middle Street 70 yards distant from the intersection of the west line of Highland Street with the south line of Middle Street; from said point of beginning run southwesterly at right angles to said Middle Street and along the NW line of what is known as the Meroney property for a distance of 137 1/3 yards to the line of a tract of land heretofore known as the "King Field" now the property of Alabama College, thence in a northwesterly direction along the line of said Alabama College property to a point 35 yards distant from the southeast line of the property herein conveyed, measuring perpendicular thereto; thence northwesterly to a point on the southwest margin of said Middle Street 35 yards NW from the point of beginning, and thence southeasterly along the south margin of Middle Street to the point of beginning and situated in the Town of Montevallo, Shelby County, Alabama.

I have known this property for forty years or more. This property was formerly owned by Walter O. Mulkey and he deeded it to his wife, Della Mulkey in 1909 and this deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 42 at Page 513. Immediately after the execution of said deed Della Mulkey went into possession of said property, and was in the actual open, notorious, continuous, exclusive, hostile and adverse possession of said property, living upon it continuously until she deeded it to Ruby Cruise Hewston on the 11th day of April, 1941, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 111, Page 370. After the execution of the last mentioned deed Mrs. Mulkey still remained in possession of said property and lived upon it continuously until she died about four or five years ago. In the deed to Mrs. Hewston she reserved a life estate in said property. After Mrs. Mulkey's death Mrs. Ruby Cruise Hewston was executed. Mrs. Hewston has been in the actual open, notorious, continuous, exclusive, hostile and adverse possession of same until the present time and has rented out continuously to tenants and lives in a house on the property.

Pat J. Kroll

Sworn to and subscribed before me on this the 10th day of August, 1951.

Mary L. Mahaffey
Notary Public

