

2044
STATE OF ALABAMA,

BOOK 151 PAGE 335

SHELBY COUNTY.

Before the undersigned authority personally appeared Mary
Tabors, who is known to me and who being by me first duly sworn does depose and say as follows:

I am 61 years of age. I have resided in Montevallo, Shelby County, Alabama, for the past 43 years. I am personally acquainted with the following tract or lot of land situated in the Town of Montevallo, Shelby County, Alabama, which tract of land is a portion of Lot 17 according to a map or plat of an allotment of land made by Electa S. Storrs and Lizzie B. Troy in 1884, which map or plat appears of record in Map Book 3 at Page 3 in the Probate Office of Shelby County, Alabama:

Commencing at the center of Section 21, Township 22 S., Range 3 W., run S. 7 deg. 19 min. E., with the center line of said Section for 869.16 feet for a point of beginning; thence S. 7 deg. 19 min. E., 230.0 feet; thence N. 51 deg. 17 min. 10 seconds W., 175.59 feet and to the south line of Main Street; thence N. 42 deg. 19 min. E., with the south line of Main Street 160.0 feet and to the point of beginning.

The above described tract of land lying in the NE¹ of the SE¹ of Section 21, Township 22S., Range 3W., Shelby County, Alabama, and containing 0.322 acres, more or less.

This property was sold by Nero Brazier and wife, Mary Brazier, to Ed J. McGinnis and Millie McGinnis on March 7, 1904, deed of which conveyance appears of record in Deed Book 71 at Page 36 in the Probate Office of Shelby County, Alabama. Nero Brazier acquired title to this property by Jesse Brazier, who had acquired all of Lot 17 of said map or plat from Electa S. Storrs and Lizzie B. Troy.

Ed J. McGinnis and Millie McGinnis constructed a frame house on this property shortly after they purchased same and this house served as their residence until sometime in 1910 when Ed J. McGinnis separated from Millie McGinnis, which separation resulted in a suit for divorce brought by Millie McGinnis against Ed J. McGinnis which suit was had in the Circuit Court of Shelby County, Alabama, in Equity.

Millie McGinnis was awarded a divorce in this suit on Sept. 14, 1921, record of which appears in final records 4 at page 331 in the Register's Office of Shelby County, Alabama. Under the terms of this decree the court vested in Millie McGinnis the rights and interests of Ed J. McGinnis in said property.

Millie McGinnis had continued to live in the dwelling situated on this property from the time Ed J. McGinnis deserted her until shortly after she and Ed J. McGinnis were divorced as aforesaid.

Shortly after Millie McGinnis obtained this divorce she moved from Montevallo. Her present address is 899 Carson Road, Ferguson 21, Missouri.

The house heretofore mentioned and said property were occupied each and every year from the date Millie McGinnis left Montevallo until March 30, 1944, by tenants who were in possession of said property and who rented same from Millie McGinnis. One such tenant during this period of time was named Charlie Webb and another such tenant was named Charlie Parker.

On March 30, 1944, Millie McGinnis, who had since married O. S. Miller, and her husband, O. S. Miller, conveyed this property to Rufus McGinnis; the son of Millie McGinnis and Ed J. McGinnis by warranty deed which appears of record in Deed Book 119 at Page 76.

Rufus McGinnis and wife, Vera McGinnis, lived in the house on said property and had possession thereof from the date of purchase aforesaid until sometime in the year of 1950 at which time Rufus McGinnis left Vera McGinnis and moved to his mother's address in Ferguson, Missouri. He is living there at this date. Since Rufus McGinnis so removed himself from Alabama said property has been occupied by Vera McGinnis, who is in possession thereof until this date.

The possession Ed J. McGinnis and Millie McGinnis, the possession of Millie McGinnis and the possession of Rufus McGinnis and Vera McGinnis as heretofore described has been open, notorious, continuous, exclusive, hostile, adverse, peaceable and actual against all the world during the periods of time heretofore specified. I have never known of their possession to be interfered with or molested in any manner during the years covered by this affidavit.

I am related to Millie McGinnis Miller. She is my sister.

I am told that in the month of March, 1928, Ed J. McGinnis and wife, Reather McGinnis, sought to convey this property by warranty deed to Dr. J. I. Reid, record of which appears in Deed Book 83 at Page 104 in the Probate Office of Shelby County, Alabama. I hereby certify that neither Dr. J. I. Reid nor any of his heirs have ever had possession of the property described herein nor have I known of them to molest in any manner the possession heretofore described and set forth.

Done this the 25th day of February, 1952.

*Mary P Nabors

Sworn to and subscribed before me on

this the 25th day of February, 1952.

Jacqui Hooker
Notary Public

Filed in the office of the Probate Judge on the 28 day of Feb 1952 at 8 o'clock A M
and recorded in Deed Book 134 Page 213 this 28 day of Mar 1952.
Deed Tax Mortgage Tax has been paid.

L.C. Walker, Judge of Probate