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STATE OF ALABAMA

BOOK 161 PAGE 323

SHELBY COUNTY

Before the undersigned authority personally appeared R. C. Schofield, who is known to me and who after being by me first duly sworn deposes and says:

I am acquainted with the following described real estate situated in Shelby County, Alabama, namely:

The SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 18, Township 24, Range 12 East except 5 acres in NE corner described as: Beginning at the NE corner of said forty; thence West along North line of said forty 313 $\frac{1}{2}$ feet; thence South parallel with East line of said forty 696 feet; thence East parallel with North line of said forty 313 $\frac{1}{2}$ feet to East line of said forty; thence North along East line of said forty 696 feet to point of beginning of said exception. Also SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of NW $\frac{1}{4}$ and N $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 20, Township 24, Range 12 East.

I am also acquainted with the following land situated in Bibb County, Alabama:

All that part of the NE $\frac{1}{4}$ of Section 19 which lies East of the right of way of the Southern Railway, except the following described parcel: Beginning at the point of intersection of the East line of said right of way with the South line of said NE $\frac{1}{4}$ of said Section 19, running thence East along said South line a distance of 511 feet, thence North parallel with the East line of Section 19 a distance of 511 feet, thence West parallel with the said South line of said NE $\frac{1}{4}$ of said Section 19 to the East line of the right of way of said Southern Railway, and thence Southwardly along the said East line of said right of way to the point of beginning of the parcel hereby excepted; all being situated in Township 24, North, Range 12 East, in Bibb County, Alabama.

On August 18, 1919 the Wilton Land and Improvement Company deeded the above described land to F. M. Schofield, W. B. Schofield and R. C. Schofield (Affiant). This deed is recorded in the Probate Office of Bibb County in Deed Book 23, at Page 420, and also recorded in the Probate Office of Shelby County, Alabama in Deed Book 136 at page 597. The grantees in said deed immediately after the execution thereof, went into possession of said property described therein and cultivated a great part thereof and used some of it for pasture each and every year until October 15, 1949 when the land was conveyed to Emmet W. Wood and wife Cynthia Wood, which deed is recorded in the Probate Office of Bibb County in Deed Book 52 at page 127, and also recorded in the Probate Office of Shelby County, Alabama in Deed Book 140 at page 235.

Before the execution of said deed to Emmet W. Wood and Cynthia Wood, W. B. Schofield died and left no Will and his sole heirs at law and next of kin on October 15, 1949 consisted of two brothers, namely: F. M. Schofield and R. C. Schofield and one sister, Mary Arnold, whose husband is R. E. Arnold.

There was an error in said deed to Emmet W. Wood and Cynthia Wood and on January 12, 1950 the same grantors executed a deed of correction to said Emmet W. Wood and Cynthia Wood which said deed is recorded in the Probate Office of Shelby County, Alabama in Deed Book 142 at page 40.

Said land located in Bibb County, Alabama comprises the entire $E\frac{1}{2}$ of the $NE\frac{1}{4}$ of said Section 19 and that portion of the $W\frac{1}{2}$ of the $NE\frac{1}{4}$ of said Section lying East of the Southern Railroad.

I am acquainted with what is known as the Jesse Mahan Lot, but it does not lie in the $SE\frac{1}{4}$ of $NE\frac{1}{4}$ of said Section 19, but lies in the SE corner of the $SW\frac{1}{4}$ of $NE\frac{1}{4}$ of said Section 19, and is correctly described as follows:

Begin at the point of intersection of the E line of the right of Way of the Southern Railroad with the South line of the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of said Section 19, run thence East along the South line of said last named forty, 511 feet, thence North parallel with the East line of said forty a distance of 511 feet, thence West parallel with the South line of said forty to the East line of the right of way of said Southern Railroad, thence in a Southerly direction along the East line of said right of way to point of beginning.

The lot above described is what is known as the Jesse Mahan property and we never went into possession of it, but went into possession of all of the $NE\frac{1}{4}$ of said Section 19 lying East of said Southern Railroad in it's entirety, except said Mahan Lot, *and remained in possession of it* from the date we procured a deed to the same as aforesaid, until we sold it to Emmet W. Wood and wife Cynthia Wood and during all this time the $SE\frac{1}{4}$ of $NE\frac{1}{4}$ was under fence and part of it was in cultivation each and every year from the date of deed to us until we deeded it to said Emmet W. Wood and wife Cynthia Wood.

No Spring known as the Mahan Spring is situated upon the land which we sold to Mr. Wood and his wife and if there is a Spring in that section of the county bearing such a name it is on land other than what we deeded to Mr. Wood and his wife.

From the time we procured a deed to said property from Wilton Land and Improvement Company in 1919 until we deeded it to Mr. Wood and his wife, neither M. N. Fancher and wife Johnnie C. Fancher or Sallie A. Woodward or Sarah Alice Woodward, or Vinnie Clark had any possession of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 20, Township 24, Range 12 East, Shelby County, Alabama.

As hereinbefore stated this 10 acres was in our possession continuously from the time we obtained a deed from the Wilton Land and Improvement Company until we deeded it to Mr. Wood and his wife and during all that time, no other parties had any possession of this 10 acres or made any claim of ownership in reference thereto.

The Woodward 10 acres was the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 20 and while Vinnie Clark obtained a deed to the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section, she never exercised any possession over said 10 acres in the SE corner of said forty. She did possess the 10 acres in the NE corner of said forty and sold it to Belcher Lumber Company.

R. C. Schofield
R. C. Schofield

Sworn to and subscribed before me this the 27th day of June, 1953.

Handy Ellis
Notary Public State at Large

Filed in the office of the Probate Judge on the 20 day of July 1953 at 2 o'clock P
and recorded in deed Book 161 Page 323 this 21 day of July 1953.
Deed Tax _____ Mortgage Tax _____ has been paid.
L.C. Walker, Judge of Probate