

3449

STATE OF ALABAMA )

JEFFERSON COUNTY )

Before me, the undersigned authority in and for said County in said State, personally appeared S. W. Smyer who is known to me and who by me being first duly sworn deposes and says on oath that he is familiar with the ownership and possession of Section 24 in the North half of Section 25 and has been familiar with such possession since 1928. Affiant says that the Mountain View Lake Company, of which he was president, purchased certain property in Sections 24 and 25, Township 18, Range 1 West, in 1928 and that shortly thereafter there was constructed on this property a lake and dam and a camp house. That this lake, dam, and camp house has been in the exclusive possession of the Mountain View Lake Company, your affiant, and S. W. Smyer, Jr. as owners until the year 1953; that during such time no one ever claimed any interest in any of the property then constituting the lake and its surroundings and that the possession of the foregoing owners was open notorious, hostile and adverse to all parties since 1928. That your affiant and later S. W. Smyer, Jr. employed a caretaker who resided near the property, which constituted the lake and its surrounding area, whose sole duties were to police the area and to prevent any trespassing; that the employment continued until 1952 or 53.

In 1952 or 53 the then owner of the property, S. W. Smyer, Jr. conveyed to the Shelby Lake Corporation the property then embraced by the old lake as expanded and enlarged and conveyed to the Mountain View Lake Company lots embraced by the survey of Mountain View Lake Company's first and second sectors. All of the property embraced within said lake and said sectors in the Mountain View Lake Company's survey have been in the exclusive possession of the Mountain View Lake Company, your affiant, and S. W. Smyer, Jr. during their continuous and uninterrupted ownerships thereof since 1928; and no adverse claim never having been presented against such ownerships.

Sworn to and  
subscribed before me  
on this 27<sup>th</sup> day of  
July, 1956.

S. W. Smyer

Edna Beasley

STATE OF ALABAMA, SHELBY COUNTY  
I, L. C. Walker, Judge of Probate, hereby certify that the within affidavit  
was filed for record the 27<sup>th</sup> day of July, 1956, at 2 o'clock P.M.  
and recorded in Book 181 Page 273, and the Mortgage Tax of \$  
Deed Tax of \$ has been paid. L. C. Walker Judge of Probate