

— 1196 —

STATE OF ALABAMA

SHELBY COUNTY

BOOK 184 PAGE 219

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

I am acquainted with Lots 1, 2, 3, and 4 of S. J. Perry's survey of the Electa S. Storrs and Lizzie B. Storrs property in the Town of Montevallo, Alabama, and a map of said survey is on file in the Probate Office of Shelby County, Alabama.

Laura J. Williams acquired title to this property by four deeds, as follows:

1. Deed from Natham Bloom and wife, and others to Laura J. Williams dated February 16, 1883, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 5, page 448, in which was conveyed Lots 1 and 2 of said Perry's survey.
2. Deed from Mary F. Fletcher and husband, dated March 15, 1883, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 5, page 450, in which was also conveyed said Lots 1 and 2.
3. Deed from Electa S. Storrs and Lizzie B. Troy and husband, dated April 20, 1883, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 5, page 510, in which was conveyed Lot 4 of said survey.
4. Deed from Electa S. Storrs and Lizzie B. Troy, dated July 19, 1886, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 7, page 522, in which was conveyed Lot 3 of said survey.

Said Laura J. Williams went into possession of said lots immediately upon the execution of said deeds, and at that time there was a dwelling house on the property which had been built by C. W. Cary.

Immediately upon the execution of the deeds to Laura J. Williams, she, as stated, went into possession of the property and occupied the dwelling house situated thereon until December 27, 1904, when she deeded <sup>and parts of Lots 3 and 4</sup> ~~to~~ to J. H. Killingsworth Lots 1 and 2, the property being conveyed being more particularly described as follows, to-wit:

Begin at the Westernmost corner of said Lot number 1 at the intersection of North Boundary Street and Main Street; thence Northeast along the margin of said Main Street a distance of 192 feet and 8 inches; thence Southeasterly, perpendicular to Main Street, to Island Street; thence Southwest along the margin of Island Street to the intersection with North Boundary Street; thence Northwest along the margin of said North Boundary Street to the point of beginning.

The property so conveyed to said J. H. Killingsworth is still more particularly described as follows:



Commence at the point where the Northeast boundary of North Boundary Street intersects the Southeast boundary of Main Street; thence South 41 degrees 24 minutes East along the Northeast boundary of North Boundary Street to Island Street; thence along Island Street 192 feet and 8 inches; thence North 41 degrees 24 minutes West, parallel to the Northeast boundary of North Boundary Street, to the Southeast boundary of Main Street; thence South 49 degrees West along the Southeast boundary of Main Street 192 feet and 8 inches to the point of beginning.

Immediately after the execution of the deed aforementioned to J. H. Killingsworth, said Killingsworth went immediately into possession of said property so conveyed to him and lived upon it and occupied the dwelling house situated thereon until July 8, 1911, when he conveyed it by deed to Marvin H. Killingsworth, Norma L. Killingsworth and Callie G. Killingsworth, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 49, page 485.

The grantees in the last mentioned deed went into possession of said property immediately upon the execution of the deed to them by said J. H. Killingsworth and remained in possession of said property, some of them occupying it continuously until January 27, 1925, when said Callie G. Killingsworth deeded her one-third interest therein to Marvin H. Killingsworth, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 78, page 246, and thereafter said Marvin H. Killingsworth and said Norma L. Killingsworth remained in the actual possession of said property, either occupying it or having it occupied by tenants until they deeded it to G. T. Elliott by deed dated October 13, 1928, which deed is recording in the Probate Office of Shelby County, Alabama, in Deed Book 88, page 133.

Said G. T. Elliott went into possession of said property immediately upon the execution of said deed and occupied the dwelling house on said property until his death. After the death of said G. T. Elliott, his widow, Gertrude Heath Elliott and his children remained in possession of said property, some of them living upon it continuously until the sole heirs at law and next of kind of said G. T. Elliott deeded said property to Gertrude Heath Elliott by deed dated July 24, 1951, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 154, page 43, and since the execution of the last mentioned deed, said Gertrude Heath Elliott has been in possession of said property, living upon it continuously down to the present time.



Said Gertrude Heath Elliott and her predecessors in title hereinbefore enumerated have been in the actual, open, notorious, exclusive, continuous, adverse, hostile possession of said property to my personal knowledge from July 19, 1886, down to the present time, and in fact have since March 15, 1883.

Said G.T. Elliott was also known as George Thomas Elliott.

The husband of Laura J. Williams was Thomas J. Williams. While Laura J. Williams owned the property the woman I later married was living with the Williams' and teaching their children and for several years I courted her and called on her frequently at the home and I married her in 1894. While the Williams' family was the owner of said property, they had one boy who was pretty wild and adventuresome and he, with a party of others, on a ~~raft~~ <sup>raft</sup>, went to the head of the Amazon River, and their raft wrecked and they lost all their supplies except probably their fire arms and ammunition and until they could beat their way back to civilization they shot and ate monkeys for their sustenance. This, of course, has nothing to do with the title to the property but is an interesting part of the history of the Williams' family.

Charles W. Cary, who on June 7, 1880, obtained a deed from Sam S. Holbrooks and other to said land, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 4, page 166, in which was conveyed to him Lots 1 and 2 according to said S. J. Perry's survey, and said Charles W. Cary built a house on the property and this is the house that was occupied by Laura J. Williams and the Killingsworths' to which reference has been made in this affidavit.

*Pat J. Kroell*  
Pat J. Kroell

Sworn to and subscribed to before me on this the 15th day of January, 1957.

*N. L. Farmer*  
Notary Public  
State of Alabama

STATE OF ALABAMA, SHELBY COUNTY  
I, L. C. Walker, Judge of Probate, hereby certify that the within affidavit  
was filed for record the 16 day of Jan, 1957, at 8 o'clock P. M.  
and recorded in Deed Record 102 Page 219 and the Mortgage Tax of 1.00  
Deed Tax of 1.00 has been paid  
*L. C. Walker*  
Judge of Probate