

2100

STATE OF ALABAMA )  
SHELBY COUNTY )

BOOK 185 PAGE 433

Before me, the undersigned authority, in and for said County and State, personally appeared John W. Ozley who, being known to me and being by me duly sworn, deposes and says as follows:

That he is 69 years of age and has been a bona fide resident citizen of Shelby County for the last past fifty years; that during the last past forty years he has been well acquainted with the ownership, use and possession of the hereinafter described real estate, having lived about one quarter of a mile from the same for the last past forty years, said land being described as follows:

Beginning at the NE corner of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 18, Township 21 South, Range 2 West, and run thence south 40 deg. West, 1181.9 feet to the eastern boundary line of the right of way of the L & N R. R. Company; thence North 27 deg. 15' West, 956.5 feet along the eastern boundary line of said railroad right of way; thence South 82 deg. 45' West, 30.5 feet; thence North 27 deg. 15' West, 309.5 feet; thence North 63 deg. 45' East 462.8 feet along the south line of the C. B. Naish land and across U. S. Highway 31 to a point on the east right of way boundary of said U. S. Highway 31; thence North 38 deg. 45' West along the said east right of way boundary of U. S. Highway 31, 83 feet, more or less, to the SE corner of the Alvin and Avis Garrett lot; thence North 54 deg. 25' East, 233.4 feet; thence North 32 deg. 35' West, 177 feet; thence in a southwesterly direction to a point; which point is South 1 deg. 50' West, 394 feet from a concrete post between the D. H. and Ruby Garrett land, and the lands now owned or formerly owned by J. E. Naish, said concrete post being on the south boundary of the Columbiana-Saginaw road; thence North 1 deg. 50' East 394 feet to said concrete post; thence North 86 deg. East 949 feet along the south boundary of the Columbiana-Saginaw road to the intersection of the said road with the east line of Section 18, Township 21 South, Range 2 West; thence South <sup>2 deg. 30' East</sup> along the section line to the point of beginning.

That he was well acquainted with Lon Nabors during his lifetime and also is acquainted with his widow, Myrtle Nabors. That he knows of his own knowledge that on September 11, 1916 that the above described property formed no part of the homestead of Lon Nabors and his wife, Myrtle Nabors. That the said Lon Nabors lived in Birmingham and Bessemer for many years and he knows of his own personal knowledge that neither he nor his wife ever claim such property as a homestead.

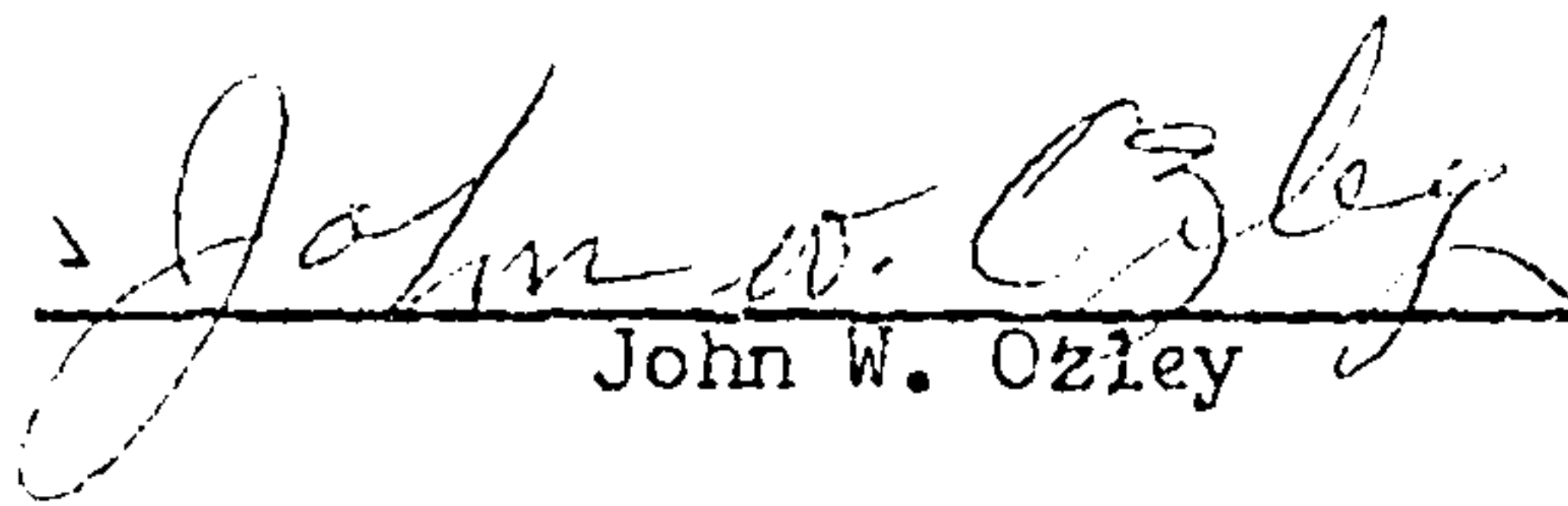
That affiant's attention has been called to a deed from Longview Lime Works, a Corporation to Jesse Clifton Garrett dated October 25, 1919 and recorded in the Probate Office of Shelby County, Alabama in Deed Book 70, page 411. That he knows of his own personal knowledge that the land described in this deed

was utilized by said Jesse Clifton Garrett during his lifetime as a residence, having built a home on said land and raised his family in said home and built barns and other buildings and out-houses on such land, and that there have been buildings situated on such land continuously from the time affiant first knew the land up to and including the date of this affidavit.

Further deposing, affiant says that he recalls when Jesse Clifton Garrett acquired the above described property more than forty years ago and that he knows that after the execution and delivery of the deeds under which he held title, the said Jesse Clifton Garrett went into possession of the above described land, fenced the same and occupied the same as a homestead during his life and conveyed the same to his son, D. H. Garrett and his daughter-in-law, Ruby Garrett on November 26, 1946, and that upon the execution and delivery of such deed, the said D. H. Garrett and his wife went into the actual possession of such land and have farmed the same each and every year thereafter up to and including the date of this affidavit.

Further deposing, affiant says that the forty years or more that he has known the above described land that it has been in the actual, exclusive, open, notorious, hostile, and continuous possession of D. H. Garrett and his wife and the father of D. H. Garrett, and that he has never heard their title to such land questioned in any way.

Witness my hand this 29th day of January, 1957.

  
John W. Ozley

Sworn to and subscribed before me  
this 29th day of January, 1957.

  
Notary Public

State of Alabama, Shelby County

I, L. C. Walker, Judge of Probate hereby certify that the within Affid. was filed in this office for record the 26 day of March 1957 at 4 o'clock P M, and recorded in Deed Record 185 Page 433 & examined 29837 and the Mortgage Tax of \$ 1.50 Deed Tax of \$ 2.00 has been paid.  
Fee \$ 1.50 L. C. Walker Judge of Probate