

4231
STATE OF ALABAMA

SHELBY COUNTY

BOOK 189 PAGE 85

Before the undersigned authority personally appeared Whittie O'Kelley, who is known to me, and who being by me first duly sworn, deposes and says:

Mildred O'Kelley is my daughter. She is grantee in that deed executed by Marion C. Elkins and wife, dated December 18, 1940, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 115, page 407. In that deed her name is stated as Mildred O. Kelley whereas her true name is Mildred O'Kelley and they are one and the same person.

In 1944 Mildred O'Kelley, who was then Mildred O'Kelley Smith and her husband, Aulton Smith deeded to George W. O'Kelley and S. W. O'Kelley the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 9, Township 22, Range 1 West, Shelby County, Alabama, and other property. This deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 120, page 260. While my name is Whittie O'Kelley, my initials are S. W. O'Kelley, and I was at that time the wife of George W. O'Kelley.

I obtained a divorce from George W. O'Kelley and on September 2, 1950, he executed deed to me conveying among other property the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 9, Township 22, Range 1 West, Shelby County, Alabama, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 140, page 465. At that time when he executed said deed Mr. O'Kelley was an unmarried man.

On February 28, 1956, I deeded to Herbert H. Thomas certain property as described in deed of that date, recorded in the Probate office of Shelby County, Alabama, in Deed Book 178, page 351, in which was included the NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 9, Township 22, Range 1 West, with the exceptions therein noted. One of the exceptions that I reserved and did not convey was two acres adjoining and being south and West of the Butter and Egg Road, said two acres being a square plot, surrounding a one story, frame, six room house. Since this deed was made we have had the property surveyed and Mr. Thomas and wife have given me a statutory warranty deed properly describing said exception, being more particularly described as follows:

BOOK 189 PAGE 86

Commence at the Southeast corner of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 9, Township 22, Range 1 West, thence run North 33 degrees West 576.0 feet to point of beginning; thence 21 degrees right 420.0 feet; thence 92 degrees 30 minutes left 315.0 feet; thence 87 degrees 30 minutes left 420.0 feet; thence 92 degrees 30 minutes left 315.0 feet to point of beginning.

I and my predecessors in title have been in the actual, open, notorious, exclusive, continuous, adverse, hostile possession of this tract of land for twenty years or more and during that time my predecessors in title and I have been living upon this tract of land continuously. This statement is subject to further explanation. About the time I got my divorce from Mr. O'Kelley and about the time he deeded the property to me I moved off and have not actually lived on this tract of land since, but have had it in the hands of tenants who have occupied it continuously and lived in the house on the property down to the present time.

I wish further to qualify this statement by saying that Mr. Herbert H. Thomas conveyed to me ^{not} only the two acres I excepted in my deed to him but an additional acre so that the property now owned by me is three acres instead of two acres, subject of course to the description by meets and bounds.

Whittie O'Kelley
Whittie O'Kelley

Sworn to and subscribed to before
me on this 7th day of September, 1957.

Mary F. Farmer
Notary Public
State at Large for Alabama

State of Alabama, Shelby County
I, L. C. Walker, Judge of Probate hereby certify that the within
day of Sept. 1957 at 8 o'clock A. M. and recorded in Deed Record 189 Page 85 & examined 9
and the Mortgage Tax of \$ 2.00 Deed Tax of \$ 2.00 has been paid.
Fee \$ 4.00 L. C. Walker Judge of Probate