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BOOK 194 PAGE 545

STATE OF ALABAMA, I  
SHELBY COUNTY.....I

Before me, the undersigned authority, in and for said County, in said State, personally appeared, Jim Lovelady, Frank Oglesby and C.M.Lucas, who, being duly sworn, depose and say that they reside at Dogwood, in Shelby County, Alabama; that for a period of 40 years, more or less, last past, they have been acquainted with the location, boundaries, and parties in possession, and the owners of the following described lands situated in Shelby County, Alabama, to-wit:

A part of the North Half of the Northwest Quarter of Section 4, and a part of the East Half of the Northeast Quarter of Section 5, all in Township 22, Range 3 West more particularly described as follows: Beginning at the Northwest corner of Section 4, Township 22, Range 3 West, and run in an Easterly direction along the North line of said Section, a distance of 879.3 feet to a point in a creek designated as point "B", thence along the center of said creek in a Southeasterly direction to a point in said creek designated point "C", said point "C" lying on a straight line from point "B" a distance of 1308.7 feet; thence at an angle to left of 126 degrees 52 minutes a distance of 1642.3 feet to West line of Section 4; thence at an angle to left of 91 degrees 11 minutes and along West line of Section 4 a distance of 1138.0 feet; thence at an angle to right of 93 degrees 17 minutes a distance of 439.6 feet along North line of Frost property; thence at an angle to left of 84 degrees 17 minutes a distance of 419.5 feet; thence at an angle to right of 82 degrees 15 minutes a distance of 513.7 feet; thence at an angle to right of 83 degrees 12 minutes a distance of 2646.6 feet to North line of Section 5 Township 22, Range 3 West; thence run Easterly along North line of Section 5, Township 22, Range 3 West a distance of 1275.9 feet to point of beginning of tract of land herein described, EXCEPTING Railroad right of way.

Also, EXCEPTING Minerals and Mining Rights to any part of the above lands that lies within the West Half of the Northeast Quarter of the Northeast Quarter of Section 5, Township 22, Range 3 West,

All situated in Shelby County, Alabama.

For the purpose of this affidavit, this above described tract of land is designated as TRACT "A":



## Page 2. Affidavit.

Affiants further say that they are familiar with the location, boundaries, and owners of the following described lots, hereinafter described, to-wit:

1. That certain lot from William F. Bunn to John W. Bunn, as shown in Deed Book 157, on page 217. Affiants further say that the lot described in this deed is no part of the lands first described, but is situated almost one-fourth of a mile West of the lands originally described herein.

2. Affiants further say that the lot described in the deed from Audrey Holsomback to Annie L. Shaw, as shown in Deed Book 183, on page 508, does not include any part of the lands described and designated as TRACT "A", but lies West, and formerly constituted a part of the W.A. Lucas tract of land, and is, approximately, one-fourth of a mile West of the lands described and designated herein as TRACT "A".

3. Affiants further say that the lands described in the deed from Carl and Audrey Holsomback to the Alabama Power Company, as shown in Deed Book 141, page 517, do not include any part of the lands in TRACT "A", but is the same tract of land mentioned in paragraph one of this affidavit; the same is true as to the deed to the Alabama Power Company, as shown in Deed Book 133, on page 534.

4. Affiants further say that the lot described in the deed from Dewey Johnson to Charlie Holsomback, as shown in Deed Book 154, on page 270, does not include any part of the lands described in TRACT "A", but is situated, approximately, one-fourth mile West of the lands described in TRACT "A".

5. Affiants further say that the lot described in the deed from O.V. Farr to Lillian Kirkley Farr, as shown in Deed Book 136, on page 238, does not include any part of the lands designated as TRACT "A", but this lot is situated, approximately, one-fourth mile South of the TRACT "A", and South of the Columbiana and Tuscaloosa Public Road, which same facts are true as to the deed from S.F. Davidson and wife, Pearl Davidson, to O.V. Farr, as shown in Deed Book 137, on page 17.

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6. Affiants further say that the lands described from Bird Bearden to Jack M. Bearden, as shown in Deed Book 119, on page 403, do not include any part of the lands described in TRACT "A"; that said land is contiguous to the West line of the property described in TRACT "A".

7. Affiants further say that the parcel of land from Cecil Lawley to Eva Booth, as shown in Deed Book 110, page 336, does not include any part of the lands described as TRACT "A", but that said parcel of land lies West of TRACT "A", approximately, one-fourth of a mile and West of the lands formerly known as the W.A. Lucas lands; the same facts are true as to the deed from Letha Lawley to Cecil Lawley, as shown in Deed Book 110, on page 335, and the lands described in said deed include no part of TRACT "A". Affiants further say that the lands described in the deed from W.A. Lucas to Joe Lawley, as shown in Deed Book 106, on page 600, do not constitute any part of the lands described in TRACT "A"; this tract of land being a part of the lands lying West of TRACT "A", and being formerly known as the W.A. Lucas lands; said tract of land is, approximately, one-fourth of a mile West of the parcel of land herein described as TRACT "A".

8. Affiants further say that the lot of land described in the deed from W.A. Lucas to Leather Lawley, as shown in Deed Book 94, on page 406, does not include any part of the lands described in TRACT "A", and is a part of the lands West of TRACT "A", formerly known as the W.A. Lucas lands and situated approximately one-fourth of a mile West of the West line of TRACT "A".

9. Affiants further say that the parcel of land described in the deed from Oscar Stripling to Mrs. L.E. Hadaway constitutes no part of the land described in TRACT "A", but is situated South and contiguous to that part of the Southeast Quarter of the Northeast Quarter of Section 5, described in TRACT "A".

10. Affiants further say that the lands described in the deed from Bird Bearden to the State of Alabama, which was conveyed for school purposes, constitute no part of the land described herein as "TRACT A", but is situated on the lands formerly known as the Bird Bearden lands, which lands are contiguous to the



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West line of the tract of land described as TRACT "A".

11. Affiants further say that the lands described in the deed from B.L.Swann to W.A.Lucas, as shown in Deed Book 43, on page 14, constitute no part of the lands described in TRACT "A", but are situated West of the land described in TRACT "A", and contiguous thereto.

12. Affiants further say that the land conveyed from J.H. Beasley, et al, to Bird Bearden, as shown in Deed Book 35, on page 321, does not constitute any part of the land in TRACT "A", but lies immediately West of said lands described in TRACT "A".

13. Affiants further say that the lands described in the deed from J.Frank Cunningham to E.G.Lovelady, as shown in Deed Book 43, on page 102, constitute no part of the property described in TRACT "A"; said property being situated South of the South line of TRACT "A".

14. Affiants further say that the land described in the deed from Alfred Bearden to J.H.Beasley, as shown in Deed Book 30, on page 132, constitutes no part of the lands described in TRACT "A", but is situated West of the West line of said TRACT "A".

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Affiants further say that the lands described in the deed from J.H. Cunningham to Alfred Bearden, as shown in Deed Book 26, on page 230, form no part of the lands described in TRACT "A", but said land is situated immediately and contiguous to the West line of the land described and designated as TRACT " A ", herein.

15. Affiants further say that the tram track conveyed by J.D.Stripling to Export Coal and Railway Company was abandoned by said Company more than fifty years ago, and that said track and rail were removed therefrom, and that from the date of said abandonment, the several owners of said lands, as shown of record, have fenced said right of way, cultivated other parts of it, and have been in the open, notorious, continuous, peaceable, and adverse possession of said parcel of land, claiming the same as their own, and regularly and continuously assessing and paying taxes thereon and using the same for agricultural purposes in connection with the lands contiguous thereto. Affiants further say that they know that for more than forty years, last past, that C.M.Lucas and his wife,



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Marie Lucas, and those through whom said C.M. Lucas and his wife, Marie Lucas, hold title to the lands described as TRACT "A", have been, respectively, in the open, notorious, continuous, peaceable and adverse possession of said lands claiming said lands as their own, respectively, against all the world, and regularly and continuously exercising acts of ownership over said lands by cultivating the same in agricultural crops; using other parts of said lands for pasture and timber purposes, and that affiants have never heard the title of the said C.M. Lucas and wife, Marie Lucas, or those through whom the said Clay Lucas and his wife, Marie Lucas, hold title to said lands to be questioned in any way; that said lands are situated in a populous community, and that said property has been continuously occupied during the period, as aforesaid.

Jim Lovelady

(Jim Lovelady)

Frank Oglesby

(Frank Oglesby)

C.M. Lucas

(C.M. Lucas).

Sworn to and subscribed before me on this the 3rd  
day of February, 1958.

Marie Lee Mahan  
Notary Public, Shelby County,  
Alabama.



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State of ~~Alabama~~ Shelby County,

I, L. C. Walker, Judge of Probate hereby certify that the within

lay of August 1958 at 11 o'clock PM, and recorded in Book 194 Page 545 & examined 8/24/58

and the Mortgage Tax of \$..... Deed Tax of \$..... has been paid.

Fee \$ 4.00

L. C. Walker Judge of Probate