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STATE OF ALABAMA  
SHELBY COUNTY

FILED 6 FEBRUARY 1959

Before me, Harold Harrison, the undersigned authority in and for said County in said State, personally appeared Dewey F. Bolton, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is Dewey F. Bolton. I am 56 years of age. I am one and the same person as Dewey Bolton and D. F. Bolton. I am familiar with the hereinafter described lot, for convenience called "Parcel "A" in this affidavit, said lot being described as follows:

## PARCEL "A"

A lot or parcel of land situated partially in the  $SE\frac{1}{4}$  of the  $NE\frac{1}{4}$  of Section 1, Township 21, Range 1 East ( $SE\frac{1}{4}$  of  $NE\frac{1}{4}$ , Section 1, Township 21, Range 1 E), and partially in the  $SW\frac{1}{4}$  of the  $NW\frac{1}{4}$  of Section 6, Township 21, Range 2 East ( $SW\frac{1}{4}$  of  $NW\frac{1}{4}$ , Section 6, Township 21, Range 2 East), and on the north side of the right of way of the Southern Railway Company, at Wilsonville, in the County of Shelby and State of Alabama, and lying and being east of the public road which crosses the railroad west of the depot at said Wilsonville and runs in a northerly direction, and between the State Highway and a driveway north of the depot; the said lot being more particularly described as follows:

TO FIND BEGINNING POINT: Commence at an iron stake which marks the SE corner of the  $SE\frac{1}{4}$  of the  $NE\frac{1}{4}$  of Section 1, Township 21, Range 1 East, and run thence North 30 deg. and 10 min. West a distance of 179.0 feet to a point on the north margin of driveway, or east margin of the street running in a northerly direction from said railroad, which said point is 40 feet north of the right of way line of said Southern Railway Company, said last named point being the Point of beginning of the lot herein described; and run thence North 18 degrees and 45 minutes West a distance of 125.5 feet to point of intersection of the street running north from said Southern Railway Company track with the State Highway; run thence North 53 deg. and 50 min. East a distance of 240 feet; thence South 2 deg. and 30 minutes east a distance of 170 feet, more or less, to a point 40 feet north of right of way line of said railroad, and 86 feet from center of main track; run thence South 60 deg. west, parallel with and 86 feet distant northwesterly from center of main track, a distance of 183 feet to the point of beginning; containing 0.716 of an acre, more or less.

Affiant further says that he is familiar with the hereinafter described parcel of land which is for convenience designated as Parcel "B" in this affidavit, said land being described as follows:

## PARCEL "B"

Commencing at the SW corner of the  $SW\frac{1}{4}$  of the  $NW\frac{1}{4}$  of Section 6, Township 21 South, Range 2 East; run thence North 30 deg. 10 min. West 179 feet to an iron pen at the NW corner of the depot lot in the Town of Wilsonville, Alabama, run thence North 60 deg. East 183 feet to the NE corner of the depot lot which is the point of beginning of lot herein described; turn thence an angle of 90 deg. to the right and run 44.9 feet; turn thence an angle of 90 deg. to the left and run along the North boundary of the right of way of the Southern Railroad 230.4 feet to an iron stake on the bank of a ditch which is the East prong of a ditch emptying into a culvert near this point, turn thence an angle of 56 deg. 20 min. to the left and run along said ditch 335 feet to an iron stake; turn thence an angle of 119 deg. 36 min. to the left and run 190 feet to State Highway No. 25; turn thence an angle of 34 deg. 49 min. to the left and run along the boundary of State Highway 232.7 feet; run thence South 16 deg. 12 min. East 148.36 feet to point of beginning.

Except the following described lot conveyed by Gertrude Taylor and husband, W. T. Taylor, Jr., to Dewey F. Bolton by deed of May 16, 1938, which is recorded in the office of Judge of Probate for Shelby County, Alabama, in Deed Book 96 at page 412, which said lot is described as follows:



Commencing at the NW corner of the gin house, known as Taylor Gin House, which corner is marked by a concrete foundation and run thence North of West a distance of 44.5 feet to an iron stob and the corner of the lot hereinafter described and conveyed; run thence 65 deg. north of West a distance of 75 feet, more or less, to the South margin of the highway; run thence in a northwesterly direction along and with the southeastern margin of said highway right of way a distance of 85 feet to an iron stob; run thence 65 deg East of north a distance of 66 feet to an iron stob; run thence 40 deg. west of north a distance of 85 feet more or less to the point of beginning, as aforesaid.

Affiant further says that he is familiar with the hereinafter described parcel of land which for convenience is designated as Parcel "C" in this affidavit, said land being described as follows:

PARCEL "C"

Commence at the Southwest corner of  $SW\frac{1}{4}$  of  $NW\frac{1}{4}$  of Section 6, Township 21 South, Range 2 East, as established by J. L. Ray, Alabama Registered Civil Engineer and License Surveyor No. 1570, and from said point run North 31 deg. 34 min. West 51.20 feet to a concrete post on the South right of way line of Southern Railway; thence North 30 deg. 00 min. West 50 feet to the center line of said railway; thence continue in the same direction 86 feet to the Northwest corner of Wilsonville depot lot; thence along the northerly line of said depot lot run North 60 deg. 00 min. East 110.50 feet to the point of beginning of the lot hereindescribed; thence North 26 deg. 36 min. West 126.70 feet to the South right of way line of Alabama Highway No. 25; thence North 46 deg. 43 min. East along the chord of an arc 104.35 feet to the northwest corner of Flournoy lot; thence along said Flournoy lot run South 62 deg. 52 min. East 23.72 feet; thence South <sup>north</sup> 26 deg. 36 min. East 166.60 feet to the Southern Railway Company/<sup>north</sup>right of way; thence along same run South 60 deg. 00 min. West 39.41 feet; thence North 30 deg. 00 min. West 36 feet; thence South 60 deg. 00 min. West and along the Wilsonville Depot Lot run 72.50 feet to the point of beginning, said lot being situated in  $SE\frac{1}{4}$  of  $NE\frac{1}{4}$  of Section 1, Township 21 South, Range 1 East and in  $SW\frac{1}{4}$  of  $NW\frac{1}{4}$  of Section 6, Township 21, South, Range 2 East, Shelby County, Alabama.

Affiant further says that he and his family moved to a farm some four or five miles from Wilsonville when affiant was 10 years old and that they lived on said farm for some 12 years and that during that time affiant's father traded for a good portion of his requirements in Wilsonville and that affiant went there frequently and at that time Parcel "A" was owned by and was known as the Southern Railway Company lot and affiant further says that it is the common understanding in that area that said railroad company purchased said lot many years ago and long before affiant can remember. Affiant further says that he was familiar with said Parcel "A" from the time he was 10 years old up until the present time and that affiant moved to Wilsonville on January 1, 1928, and that what he says about Parcel "A" was true up until the time it was conveyed to R. M. Reinhardt by said railway company on December 19, 1939, as shown by deed

recorded in Deed Book 107, page 344 in the Probate Office of Shelby County, Alabama. Affiant further says that he and T. M. Reinhardt at said time were partners and that T. M. Reinhardt later conveyed a one-half interest in said lot to affiant and that at the termination of said partnership said T. M. Reinhardt conveyed his remaining interest in said Parcel "A" to affiant on June 12, 1943, as shown by deed recorded in Deed Book 117, page 101 in the Probate Office of Shelby County, Alabama. A few years after affiant purchased the interest of T. M. Reinhardt in said land, affiant filed a bill to quiet title to said parcel against certain persons and obtained a decree of the court in affiant's favor. Said bill of complaint having been filed on March 28, 1947, and being Cause No. 2831 in the Circuit Court of Shelby County, Alabama, in equity. It has been called to affiant's attention that one of the lines in said deed was described as follows: "...; run thence North 10 deg. 30 min. West a distance of 179 feet to a point." Affiant says that he is familiar with said line and that he knows that it should have read as follows: "...; run thence North 30 deg. 10 min. West a distance of 179 feet to a point." Affiant says that said defect was caused by a mistake in the writing of said deed. Affiant further says that the westerly line of said Parcel "A" ran along the easterly line of that certain street which crosses said railroad and runs in a northwesterly direction through the business section of Wilsonville. Affiant further says that the northerly line of said Parcel "A" runs along the right of way of Highway No. 25. Affiant says the North line of said Parcel "A" is described in said deed as running straight but that in reality the right of way of said highway curves at said point and said curve extends a short distance over into the North side of said lot. Affiant further says that Gertrude Taylor owned the land lying East of and adjoining Parcel "A" and Mrs. Taylor claimed her west line was over on a part of Parcel "A", so affiant purchased said land, being Parcel "B", from Gertrude Taylor and husband, W. T. Taylor in September, 1947, (see Deed Book 130, page 415 in said Probate Office. Affiant further says that the southerly line of Parcel "A" runs along the northerly line of a lot owned by Southern Railway Company on which last mentioned lot is now located the Southern Railway Depot. Affiant further says he is familiar with the Flournoy lot now owned by Fred M. Flournoy which is described in Deed Book 136, page 163, in the Probate Office of Shelby County, Alabama. Affiant



further says that the northeasterly corner of said Parcel "A" adjoins the northwesterly corner of said Flournoy lot but that the westerly line of said Flournoy lot does not run along the easterly line of Parcel "A" but said westerly line of said Flournoy lot runs back from said highway in a southeasterly direction.

Affiant further says that in June of 1947, as shown by deed recorded in Deed Book 128, page 233, he conveyed a portion of Parcel "A" to W. D. Clark and that said land intended to be conveyed was erroneously described and that a new deed was executed on September 9, 1947, correctly describing said tract of land intended to be conveyed. Said deed was recorded in Deed Book 130, page 339, in said Probate Office. Said tract of land is described below and for convenience, said land is designated herein as Parcel "D", said land being described as follows:

#### PARCEL "D"

That certain lot situated in the Town of Wilsonville, Shelby County, Alabama, to-wit: Beginning at the southeast corner of the  $SE\frac{1}{4}$  of the  $NE\frac{1}{4}$  of Section 1, Township 21, South, Range 1 East and running north 30 degrees 10 minutes west, 179.0 feet to point of beginning and said point being the northwest corner of Southern Depot lot; thence run north, 18 degrees, 45 minutes west 125.5 feet to the Southern boundary of the right of way of Alabama Highway No. 25; run thence along said highway to a point on the southern boundary of said highway right of way, which point is north 53 degrees 30 minutes east, 195 feet from the northwest corner of lot herein described, which said point is the northwest corner of lot known as the Flournoy lot; run thence south 16 degrees 12 minutes east, 148.36 feet to the northeast corner of the southern Railway Depot lot; run thence south 60 degrees west parallel to and 86 feet distance from the center line of the main track of Southern Railroad 183 feet to point of beginning. Said lot being situated in the  $SE\frac{1}{4}$  of the  $NE\frac{1}{4}$  of Section 1, Township 21 South, Range 1 East and partly in the  $SW\frac{1}{4}$  of the  $NW\frac{1}{4}$  of Section 6, Township 21, South, Range 2 East; situated in Shelby County, Alabama. This deed is executed for the purpose of correcting the description in that certain deed from Dewey F. Bolton and wife, Sadie Bolton to W. D. Clark dated June, 1947, and recorded in Deed Book 128, page 233, in the Probate Office of Shelby County, Alabama.

Affiant further says that he has repurchased said Parcel "D", having purchased it from J. L. Batson, Jr. and wife on February 16, 1953, as shown by deed recorded in Deed Book 158, page 244 in said Probate Office.

Affiant further says that he is familiar with Parcel "B" described above. Affiant says that it is common knowledge that W. T. Taylor, the father of W. T. Taylor, Jr., formerly owned said Parcel "B" along with the land lying

East of Parcel "B" sold by W. T. Taylor, Jr. to R. C. Foster. There has been called to affiant's attention a deed from R. A. O'Hara and wife to W. T. Taylor, dated February, 1904, and recorded in Deed Book 32, page 90, in said Probate Office. Said deed conveyed said Parcel "B", along with said land sold to R. C. Foster, as beginning at the Southeast corner of the Gin Lot but affiant says that he is familiar with said Parcel "B" and he knows that it began at the Southwest corner of said Gin Lot as it was referred to on said date.

There has also been called to affiant's attention a quit claim deed from C. W. O'Hara and wife to W. T. Taylor, dated March, 1907, recorded in Deed Book 91, page 343 in said Probate Office. Affiant further says that he understands there are some small differences in the descriptions in said deed from that contained from R. A. O'Hara to W. T. Taylor mentioned above but affiant says that he knows that it was one and the same tract of land being conveyed by said parties. Affiant further says he knows that after the said W. T. Taylor obtained said deeds mentioned above along with a deed from the O'Hara Ginning Company, a corporation, in July, 1908, recorded in Deed Book 91, page 344, in said Probate Office, that the said W. T. Taylor owned and was in possession of all of said Parcel "B" along with said land later sold off to R. C. Foster by W. T. Taylor, Jr.

It has been called to affiant's attention that the said W. T. Taylor conveyed a one-half interest in a 70 yds. x 70 yds. lot being a portion of the land referred to in this affidavit, on December 27, 1912, <sup>to W. J. Jackson</sup> as shown by deed recorded in Deed Book 49, page 522, in said Probate Office and it has been further called to affiant's attention that the said W. J. Jackson and wife made a deed back to W. T. Taylor in February, 1915, as shown by deed recorded in Deed Book 83, page 66 in said Probate Office, under which Mr. Jackson conveyed a one-half interest in a lot described as running 70 yds. x 35 yds. but affiant says that he knows and it is common knowledge in the Wilsonville community that the said W. J. Jackson conveyed all of his interest in said land back to W. T. Taylor and that said W. T. Taylor thereafter was in absolute and complete ownership and possession of the same until he conveyed the same to W. T. Taylor, Jr., in May, 1925, as shown by deed recorded in Deed Book 73, page 488 in said Probate Office.



Affiant further says that said W. T. Taylor, Jr. and his wife, Gertrude Taylor, continued in the actual and continuous possession of said Parcel "B" along with the land lying East thereof which they sold to R. C. Foster until the said W. T. Taylor and wife, Gertrude, sold said Parcel "B" to affiant in Sept of 1947, as shown by deed recorded in Deed Book 130, page 415 in said Probate Office.

Affiant says that the description in said deed was erroneous and he had said Parcel "B" surveyed and obtained a new deed from Mr. and Mrs. Taylor in October of 1948 correctly describing said land which deed is recorded in Deed Book 136, page 77 in said Probate Office. Affiant says from the time he purchased said Parcel "B" in 1947 up until this present day, with the exception of a small triangular lot sold off the East side of said Parcel "B", which is described in a deed to James Earle Campbell and Jeanette Campbell in September, 1957, as shown by deed recorded in Deed Book 189, page 149 in said Probate Office, that affiant has been in possession of said Parcel "B", with said exception, continuously and actively up until the present day. Affiant further says that soon after T. M. Reinhardt and affiant purchased said Parcel "A" as mentioned above and soon after affiant purchased Parcel "B" as mentioned above, both Parcels were enclosed by a barb wire fence and said fence remained thereon for more than 10 years and that affiant has used said Parcel of land for the operation of a cotton gin which has been situated on Parcel "B" and he has used Parcel "A" for the storage of farming implements, tools and equipment and has had a warehouse situated on a portion of Parcel "A" for the past 8 years.

There has been called to affiant's attention a deed from Tint Merrell and wife to Gertrude Taylor dated October, 1938, recorded in Deed Book 96, page 452 in the Probate Office of Shelby County, Alabama, which covers a lot 50 ft. x 40 ft. Affiant says that W. T. Taylor, sometimes known as W. T. Taylor, Sr., permitted Tint Merrell to build a blacksmith shop on said lot but never made a deed to him covering the property on which said shop was situated and that the deed mentioned in this paragraph was executed for the purpose of conveying to Gertrude Taylor all right, title and interest which Tint Merrell or his wife had in said blacksmith shop building or to the land described in said deed.

Affiant is attaching hereto a true and correct copy of the survey made by Frank W. Wheeler, Alabama Registration Number LS 3385 on December 17, 1958,

As shown by said survey, the lot which affiant is conveying to Coosa Valley Milling Company, Inc. is taken off the easterly portion of Parcel "A" and a small westerly portion of Parcel "B". On said Wheeler map the broken line running from the northwest corner of the Flournoy lot in a southeasterly direction to the Wilsonville Depot Lot, as described on said map, is the easterly line of said Parcel "D".

Affiant further says there has been called to his attention a deed from T. M. Reinhardt to affiant dated December 22, 1939, recorded in Deed Book 107, page 428, in said Probate Office and that near the end of the description in said deed there is the following sentence:

"...; thence South 2 deg. 30 min. East a distance of 170 feet more or less to a point 50 feet North of right of way line of said railroad."

Affiant says that he knows of his own knowledge that this should have been:

"...; ....to a point 40 feet North of right of way line of said railroad."

Affiant further says that the lot from Dewey Bolton and Sadie Bolton to James Earle Campbell and Jeanette B. Campbell described on page 71 of affiant's abstract which deed is recorded in Deed Book 189, page 149, in said Probate Office, is a triangular lot which is long at the North and comes to a point at the South and is off the East end of Parcel "B" and said lot conveyed to Mr. and Mrs. Campbell forms no part of the lot being conveyed to Coosa Valley Milling Company, Inc.

Affiant further says that it has been approximately 28 years since any portion of the old Columbiana-Harpersville dirt road ran across a portion of Parcels "A" and "B" and as mentioned above, said parcels have either been under fence or have had buildings situated on them for approximately 25 years and no one has ever questioned affiant's ownership of said land, neither have they questioned his title nor disputed his possession.

Affiant further says that at the top of page 6 in this affidavit he stated that W. T. Taylor, Jr., and his wife, Gertrude Taylor, continued in the actual possession of said Parcel "B" along with other land until the same was sold to affiant in September, 1947, as explained in this affidavit but affiant says, in



reality, during the time W. T. Taylor owned said land it was mortgaged and the mortgage was foreclosed and that Walter Hoffman purchased the same in August, 1934, at foreclosure sale, as shown by foreclosure deed recorded in Deed Book 97, page 521, in the Probate Office of Shelby County, Alabama, but affiant says that Mr. and Mrs. Taylor never relinquished possession of said land and that the said Walter Hoffman sold his interest therein back to Gertrude Taylor in August, 1935, as shown by deed recorded in Deed Book 98, page 527, in said Probate Office.

Dewey F. Bolton  
Dewey F. Bolton

STATE OF ALABAMA )  
SHELBY COUNTY )

Sworn to and subscribed to before me this 3 day of February, 1959.

Harold Williamson  
Notary Public

My commission expires: year 1962

STATE OF ALABAMA )  
SHELBY COUNTY )

Before me, Mrs. B. E. Cunningham, the undersigned authority in and for said County in said State, personally appeared Sadie Bolton, who, after being by me duly sworn, deposes and says:

My name is Sadie Bolton. I am 57 years of age. I have, as far back as I can remember, been familiar with the parcels of land described in this affidavit and as far back as I can remember I know that the matters and things set out in the above affidavit are true and correct.

Sadie Bolton  
Sadie Bolton

STATE OF ALABAMA )  
SHELBY COUNTY )

Sworn to and subscribed to before me this 3 day of February, 1959.

Mrs. B. E. Cunningham  
Notary Public

My commission expires: August 5 1959

FILED 6 FEBRUARY 1959

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STATE OF ALABAMA, SHELBY COUNTY  
I, Conrad M. Fowler, Judge of Probate, hereby certify that the within affidavit  
was filed for record the 6 day of Feb 1959 at 2 o'clock and recorded in  
Deed Record, Page 26 and the Mortgage Tax Deed Tax  
has been paid. 199  
Conrad M. Fowler Judge of Probate