

2481
FILED 19 MARCH 1959STATE OF ALABAMA)
)
SHELBY COUNTY)

Before me, Oscar Harris, the undersigned authority in and for said County in said State, personally appeared Clarence E. Bishop, who, after being first duly sworn by me to speak the truth, deposes and says:

My name is Clarence E. Bishop. I am one and the same person who purchased a one-half interest in certain land, along with Ida Bishop, from Robert Scott and others, as shown by deed dated January 31, 1938, and recorded in Deed Book 104, page 298, in the Probate Office of Shelby County, Alabama, and also purchased an undivided one-half interest from L. E. J. Scott in the same land on March 11, 1938, as shown by deed recorded in Deed Book 104, page 302, in said Probate Office.

Affiant further says that said deed from Robert Scott and others to affiant and affiant's wife was prepared by the heirs of D.A.D. Scott and affiant understood that all of said heirs had signed said deed although affiant later learned that one T. E. P. Scott had not signed said deed so affiant and his wife obtained a quit claim deed from T. E. P. Scott on January 5, 1942, to said land. Said deed is recorded in Deed Book 130, page 433 in said Probate Office. At the time said deed was executed, the said T. E. P. Scott was a widower.

Affiant further says that since he and the said Ida Bishop purchased said land, as described in said deed, that the United States has condemned a certain portion of it for a national park so that affiant and the said Ida Bishop now own the following described land:

The $E\frac{1}{2}$ of $E\frac{1}{2}$ of $NW\frac{1}{4}$ and West $\frac{1}{2}$ of $W\frac{1}{2}$ of $W\frac{1}{2}$ of $NE\frac{1}{4}$ of Section 27, Township 19, Range 2 West, Shelby County, Alabama.

Affiant further says that immediately after he and his said wife purchased a one-half interest in said land in January, 1938, as mentioned above, they went into immediate possession of the same and all of it and built a barn on it and lived on it and lived in one of the dwelling houses situated on said land which said dwelling house is located on that part of said land

in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 27. Affiant further says that they rented out the other dwelling house situated on said land which said house was situated in that portion of said land in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 27. Affiant further says that they farmed portions of said land and pastured portions of it and obtained firewood and building timber from the wooded portions of it each and every year since affiant and his said wife purchased said land and on three different occasions affiant has cut all of the timber situated on said land that was suitable for sawmill timber and throughout all the years affiant says that no one has ever disputed his and his said wife's title or contested their possession and that as far back as he can remember he and his wife and their predecessors in title have owned said land openly and notoriously as to all the world and no one has ever contested their title or disputed their possession.

Affiant further says that Fred W. Bishop bargained to buy two acres in the Northwest corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 27, Township 19, Range 2 West, but that he never actually obtained a deed to said two acres. Affiant says that it has been called to his attention that Fred W. Bishop executed a transmission line permit to Alabama Power Company dated February, 1948, which is recorded in Deed Book 133, page 174, in said Probate Office, granting a transmission line permit across two acres more or less in NE corner of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 27. Affiant says that this permit was granted in error and that Fred W. Bishop never owned any interest in the land described in said transmission line permit.

Affiant further says that he is 54 years of age and from as far back as he can remember there has been a public road leading from Cahaba Valley Public Road in a southerly direction into Brasher Hollow and affiant says that when the Federal Government purchased the land lying South of the above described land that said road was terminated at the line of the Government's land but that all that portion of said road lying North of the Government's land has remained open and that the same runs along the West line of the above described land. Affiant further says that said road has never been closed and has been a public road throughout all the years and is still a public road. Affiant further says that said road leading on North from the above described land crosses the lands belonging to Dr. L. E. Sorrell and Manion Cox and then intersects

the said Cahaba Valley Road which is now public and is known as Shelby County Highway No. 27. Affiant further says that he and the public generally have used said road continuously, going from affiant's said dwelling to house/and from said Cahaba Valley road and no one has ever questioned the fact that it is a public road and the County has from time to time worked said road.

Clarence E. Bishop
Clarence E. Bishop

STATE OF ALABAMA)
SHELBY COUNTY)

Subscribed and sworn to before me this 26 day of January,

Oscar Harris
Notary Public, State of Alabama

My commission expires:

STATE OF ALABAMA)
SHELBY COUNTY)

Before me, Oscar Harris, the undersigned authority in and for said County in said State, personally appeared Ida Bishop who, after first being sworn by me to speak the truth, deposes and says: My name is Ida Bishop. I am one and the same person referred to in the above affidavit. I have read said affidavit and know that the matters and things mentioned therein are true and correct.

Mrs Ida Bishop
Ida Bishop

STATE OF ALABAMA
SHELBY COUNTY

Subscribed and sworn to before me this 26 day of January, 1959.

Oscar Harris
Notary Public, State of Alabama

My commission expires:

May 30 1962

FILED 19 MARCH 1959

STATE OF ALABAMA, SHELBY COUNTY

I, Conrad M. Fowler, Judge of Probate, hereby certify that the within affidavit was filed for record the 19 day of Nov 1959 at 2 o'clock P.M. and recorded in Deed Record 200 at page 106 and the Mortgage Tax Deed Tax has been paid.

Conrad M. Fowler
Judge of Probate