

SHELBY COUNTY

Before the undersigned authority personally appeared William T. Bailey, who is known to me, and who being by me first duly sworn, deposes and says:

I am acquainted with the following land situated in Shelby County, Alabama, namely:

The SE $\frac{1}{4}$ of NE $\frac{1}{4}$ and N $\frac{1}{2}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 23, Township 21 South, Range 3 West.

I have known this land since 1935, at which time C. C. Butler was in possession of the sixty acre tract of land, claiming to own it. As a matter of fact my father Thomas Mannon Bailey rented the property from Mr. C. C. Butler in 1938 and kept it rented until it was deeded to my father and mother by said Butler by deed dated January 15, 1946. During the years from 1938 to January 15, 1946, my father cultivated or had portions of it cultivated it/^{each}and every as tenants of C. C. Butler. Immediately upon the execution of the deed by C. C. Butler to my father Thomas Mannon Bailey and my mother Myrtle Lee Bailey, my father and mother went into possession of said property, lived upon it and cultivated it each and every year until they sold and deeded to William A. Nolen and wife, Ruby Geraldine Nolen the N $\frac{1}{2}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 23, Township 21 South, Range 3 West, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 188, page 226. My father and mother continued in possession of said property, except that portion sold to the Nolens as aforesaid, living upon it and cultivating portions of it until they sold six acres of it to me, and executed a deed dated October 4, 1956, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 182, page 453.

Not many months ago my father and mother deeded to my sister, Edna Bailey Vanderslice that portion of the forty lying immediately West of the 6 acres tract deeded to me. My father and mother are still in possession of that portion of the forty south of the six acre tract deeded to me and the portion deeded to my sister. They are living upon it and have cultivated it each and every year since they procured

the deed from C. C. Butler, as aforesaid, and they have had the actual, open, notorious, continuous, exclusive, adverse, and hostile possession of same all the while.

My attention is called to a mortgage made by W. A. Nolen and wife, Ruby G. Nolen to the First Bank of Alabaster, dated March 9, 1958, which is recorded in the Probate Office of Shelby County, Alabama, in Mortgage Book 253, page 295. Neither said W. A. Nolen nor his wife, Ruby G. Nolen have been in possession of any portion of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 23 at any time and have never claimed it and the inclusion of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ in said mortgage was in error.

William T. Bailey
William T. Bailey

Sworn to and subscribed to before
me on this 23rd day of June, 1999.

Mary J. Farmer
Notary Public
State at Large for Alabama

STATE OF ALABAMA }
SHELBY COUNTY }

I, Conrad M. Fowler, Judge of Probate hereby
certify that the within Deed was
filed in this office for record the 23 day
of June 1999 at 2 o'clock P.M.
and recorded in Deed Record 203
page 453 and examined P. 27-19
and the Mortgage Tax of \$
Deed Tax of \$ has been paid.

Conrad M. Fowler
Judge of Probate

Fee \$ 1.25

STATE OF ALABAMA, SHELBY COUNTY

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

Judge of Probate