

1409

STATE OF ALABAMA

SHELBY COUNTY

Before me, Mrs. B. E. Cunningham, the undersigned authority in and for said County, in said State, personally appeared M. W. Stone, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is M. W. Stone. I am 76 years of age and have lived in Shelby County, Alabama, all of my life and have all along been well acquainted with the following described land and the persons in possession of it. Said land being described as follows:

That part of the following described lands situated in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 12, Township 21, Range 1 East lying north of the road leading southeast from the old Montgomery Road to Mansfield Stone's house containing 4 $\frac{1}{2}$ acres more or less: Commencing at the southwest corner of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 12, Township 21, Range 1 East; run thence north, 80 deg. east along the south boundary of Joe Newsome's property 1340.3 feet; run thence east 420 feet to the east side of the old Montgomery road; run thence north 16 deg. east along said road 200 feet; run thence south, 70 deg. east, 291 feet; run thence north, 56 deg. east 84 feet; run thence north 24 deg east 561 feet; run thence north, 87 deg. east 243 feet to the north and south median line of said Section 12; run thence south along said median line 2541.4 feet; run thence south, 87 deg. 30 min. west 911 feet to the southeast corner of Chet Templin's property; run thence north, 10 deg. east 960 feet; run thence north, 20 deg. east 810 feet; run thence south, 60 deg. west, 825 feet to the old Montgomery road at a point near an oak tree; run thence south, 16 deg. west along said road 200 feet; run thence west 210 feet; run thence south, 16 deg. west 420 feet; run thence west along the north boundary of Ward Ray's property 1098 feet more or less to the west boundary of Section; run thence north on Section line 1073 feet to point of beginning, containing 86 acres more or less. Being situated in Shelby County, Alabama.

Affiant further says it has been called to his attention that a deed from J.R. Taylor and wife to O. E. Black dated December, 1915, covering the lot lying immediately west of the above described lot showed said lot belonging to O.E. Black as running east 128 yards or 384 feet. It has also been called to affiant's attention that page 1 of the abstract covering the above described lot shows a plat drawn by the Abstractor which shows said Black lot, which is now the Millender lot, as running along the Stone Road south, 69 deg. 24 min. east, 300 feet. Affiant says that he does not know which distance mentioned is correct, but does know the southwest corner of above described lot is the southeast corner of the Millender lot and said corner is marked by a ditch, which ditch remains the line between said lots for approximately 84 feet in an easterly direction. This ditch has been considered the line for at least the past 50 years.

BOOK 20 / PAGE 334 FILED 5 FEBRUARY 1960

Affiant further says he knows where the east line of the Joe and Cornelia Newsome line was and also the east line of the lot conveyed by the Newsomes to Oliver Millender in 1951 and he knows of his own knowledge that said east lines run along the westerly line of the above described lot which belongs to Lavert William Hobbs and Frances Lucille Hobbs. He further knows the line between said lots has been established since 1915 when J. R. Taylor and wife sold said Millender lot to O. E. Black, as mentioned above, and said line has been unchanged and has been the same throughout the years and the said Lavert William Hobbs and Frances Lucille Hobbs have been in the actual possession of the above described lot continuously since they purchased the same from Clarence Hebb and wife on February 2, 1957, as shown by deed recorded in Deed Book 185 page 134 in said Probate Office of Shelby County, Alabama.

Affiant further says that the north line of said Hobbs lot runs along the south line of N $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 12 and that the east line of said Hobbs lot is the east line of said forty acres and the south line of said Hobbs lot runs along a road commonly known as the Stone Road. Affiant further says that Lavert William Hobbs and Frances Lucille Hobbs erected a house on said lot approximately two years ago and have lived there continuously up to this time.

Affiant further says the M. H. Fowler land lies immediately north of and adjoins the above described land and there is an old fence row between the Fowler land and Hobbs land. This fence row has been there for some 50 years or more.

Affiant further says that throughout all the years he has know said $\frac{1}{2}$ land, Lavert Williams Hobbs and Frances Lucille Hobbs and their predecessors in title have been in the actual, open and notorious possession of the same and he has never heard of anyone contesting their title or disputing their possession.

M. W. Stone

M. W. Stone

Sworn to and subscribed to before me

this the 22 day of January, 1960.

Mrs. B. E. Cunningham
Notary Public

STATE OF ALABAMA, SHELBY COUNTY

I, Conrad M. Fowler, Judge of Probate, hereby certify that the within Deed was filed for record the 2 day of Feb 1960 at 7 o'clock P.M. and recorded in Deed Record 207 at page 393 and the Mortgage Tax Deed Tax has been paid.

Conrad M. Fowler
Judge of Probate

FILED 5 FEBRUARY 1960

BOOK 207 PAGE 383