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STATE OF ALABAMA }
SHELBY COUNTY }

Before me, a Notary Public in and for said County and State, personally appeared P. C. Wilson, who is known to me, and who being by me first duly sworn deposes and says as follows:

My name is P. C. Wilson. I am 25 years of age and am a resident of Montevallo, Shelby County, Alabama. I have been a resident of Montevallo continuously for the past 43 years.

In October, 1932, I bought the following described property from Harry Gordon, receiver of Montevallo Cotton Mills, Inc., as shown by deed recorded at page 497 of Deed Book 103, Office of the Judge of Probate of Shelby County, Alabama, to-wit:

Beginning at the center of Fractional Section 3, Township 24, Range 12 East, thence North 3 degrees, West 899.3 feet, more or less to an iron stake in the North boundary line of the State Highway; thence South 85 deg. 50 min. East along and with the North boundary line of said State Highway 1324.7 feet to an iron stake; thence North 3 deg. 06 min. West 1086.15 feet, more or less, to the center of the Southern Railway Right of Way; thence South 64 deg. 34 min. West along and with the center line of said Southern Railway's Right of Way 1941.4 feet to a stake; thence North 19 deg. 21 min. West 305.1 feet to an old iron on the southerly bank of Shoal Creek; thence southwestwardly and along with the southerly bank of Shoal Creek 198 feet, more or less, to an old iron stake; thence South 19 deg. 21 min. East 198.8 feet to the center line of Southern Railway Right of Way thence along and with the center line of said right of way North 72 deg. 02 min. East 81.25 feet to a stake, thence South 19 deg. 21 min. East 155 feet, more or less, to the center line of the State Highway; thence westwardly and along and with the center line of said Highway 190 feet, more or less, to a stake which is North 17 deg. 58 min. West of the Northeast corner of the Wilson one acre lot; thence South 17 deg. 58 min. East 25 feet, more or less, to an iron stake at the Northeast corner of said Wilson lot; thence South 17 deg. 58 min. East along and with the East line of said Wilson lot 182 feet, more or less, to an iron stake at the Southeast corner of said Wilson lot; thence South 72 deg. 2 min. West along and with the South line of said Wilson lot 208.9 feet to an iron stake at its Southwest corner; thence South 72 deg. 02 min. West 180 feet, more or less, to the East line of the P. D. Pendleton property; thence South 17 deg. 58 min. East 1310 feet to an iron stake; thence North 44 deg. 8 min. East 961.5 feet to the point of beginning, containing 56 acres, more or less, as recorded in Deed Book 88 at page 506, in the Probate Office of Shelby County, Alabama, and said land is situated in Shelby County, Alabama.

I subsequently, on June 26, 1935, sold and conveyed a portion of the above described property to S.C. Killingsworth, as shown at page 469 of Deed Book 94, Office of the Judge of Probate of Shelby County, Alabama, to-wit:

Beginning at the Southeast corner at the Northwest quarter of Section 3, Township 24 North, Range 12 East, as a point of reference; thence North with the quarter Section line 843.6 feet to the South Right of Way line of Alabama Highway No. 36; thence 84 deg. and 15 min. left along said right of way 102.0 feet; thence 98 deg. and 21 min. left 25.2 feet to the point of beginning which is the Northeast corner of the following described 2 acre tract:

From this point of beginning which is 50 ^{deg.} South of the center line of Alabama Highway No. 36, turn 98 deg. and 21 min. right along and parallel to said highway 220.0 feet to the Northwest corner; thence 98 deg. and 21 min. left 400.0 feet to the Southwest corner; thence 81 deg. 39 min. left 220.0 feet to the Southeast corner; thence 98 deg. and 21 min. left 400.0 feet along the West side of a road 400.0 feet to the point of beginning.

Lying and being in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 3, Township 24 North, Range 12 East, St. Stephens Meridian in the County of Shelby, State of Alabama, and containing 2 acres.

I have been familiar with the ownership and possession of both of the above described tracts since prior to October, 1932, and until the present date. The property described above which I conveyed to S. C. Killingsworth was subsequently conveyed to Cooper Shaw about 1942, and it is my understanding that Mr. Shaw later conveyed said property to his wife.

The West line of the property described above which I conveyed to Mr. Killingsworth is also the East line of a subdivision known as the Wilson's addition to Montevallo, a map or plat of said subdivision ^{being} recorded at page 62 of Map Book 3, Office of the Judge of Probate, Shelby County, Alabama. This line is marked by a fence which has been standing for approximately ^{was} ~~many~~ years and also surveyed at the time the subdivision above referred to was subdivided. There has never been any dispute as to the location of this line between myself and Mr. Killingsworth, or between Mr. Cooper Shaw and myself, or between Mr. Cooper Shaw and the owners of the lots in the subdivision above referred to.

It will be found, by tracing out and plating the description of the property described above which I bought from Montevallo Cotton Mills, Inc., and the description of that part of said property which I later conveyed to S. C. Killingsworth, as described above, that an area is reserved between the East line of said property which I bought from Montevallo Cotton Mills, Inc., and the ^{said} East line of the property which I sold to S. C. Killingsworth. It

was my intention in 1935 when I conveyed the property described above to Mr. Killingsworth, and it has been my intention since then and until the present date, that said area between the East line of said Killingsworth property and the East line of said property which I bought from Montevallo Cotton Mills, Inc., be reserved and dedicated to the public for a public road or street and for drainage ditches etc. incident thereto. Said area, which runs South from a public highway which is now known as Alabama Highway No. 25, has been, since 1935 and possibly prior thereto, and until the present date, ~~hereof~~, constantly and continuously used by the public for purposes and which I dedicated it. Said area makes a part of what is known in the Montevallo community as "Gardner Road" leading from Alabama Highway No. 25 to the Old Joe Gardner place located some several hundred feet South of said Highway No. 25.

Said area which I dedicated as a part of Gardner Road has been ^{accepted by the public and} devoted to public use constantly since I dedicated it in 1935, as stated above. I do not know the exact width of said Gardner Road and the adjacent drainage ditches. It is my understanding that the City of Montevallo has from time to time worked Gardner Road, improving the same with additions of dirt, cleaning out the drainage ditches, and installing or repairing drainage pipes or culverts.

The property described about which I bought from Montevallo Cotton Mills, Inc., was surveyed by a Mr. Villardson shortly after I bought said property. Mr. Villardson prepared the description used in the deed to Mr. S. C. Killingsworth above referred to which I executed in 1935 and designated the East line of the property described as being "400.0 feet along the West side of a road. . .". I do not now, nor have I at any time since 1935, claimed the area between the East line of said property which I bought from Montevallo Cotton Mills, Inc., and the East line of the said property which I sold to S. C. Killingsworth, nor do I nor have I at any time since 1935 claimed any part of said area, all of said area having been reserved and dedicated by me for and to the public for a public road or street, as stated above.

Sworn to and subscribed before me on this 3rd day of January, 1962.

R. Henderson
Notary Public



STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 2-5-62
RECORDED & ✓ PAYING TAX
AS DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

Conrad C. Frazier
JUDGE OF PROBATE

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