

4870

STATE OF ALABAMA }  
SHELBY COUNTY }

Before me, Robert S. Glasgow, Jr., a Notary Public in and for the State of Alabama at Large, personally appeared H. G. McEwen, who, being by me first duly sworn, deposeth and saith as follows:

I have lived in Wilsonville, in said State and County, many years. I am familiar with the claims of ownership and possession of lands in this area.

To my personal knowledge, Annie Livingston and T. G. Wood and their predecessors in title have been in possession of what is known as the Mallory farm, which includes that part of Fractional Section 33 lying north of the Coosa River, south of the Southern Railway Company right of way and east of Yellow Leaf Creek, that part of the south half of the north half of Section 33 lying south of the Southern Railroad, and that part of Fractional Section 34 lying northwest of Coosa River and south of the Southern Railway Company right of way, all in Township 20 South, Range 2 East, near Wilsonville, Shelby County, Alabama, continuously for more than twenty years; that they have put the lands to such uses as they are suited, sold and harvested timber from same and cultivated such portions as they desired from time to time. No other person has been in possession of the said lands, and I never have heard of the title or right to possession of Annie Livingston and T. G. Wood or their predecessors in title being disputed or questioned in any way.

To my personal knowledge, S. S. McEwen and wife, Barbara McEwen, and their predecessors in title have been in open, continuous and adverse possession of the following described tract or parcel of land, claiming it as their own, for more than twenty years prior to conveying same to Alabama Property Company by conditional deed dated

SW $\frac{1}{4}$  of SE $\frac{1}{4}$ ; all of SE $\frac{1}{4}$  of SE $\frac{1}{4}$  lying northwest of Southern Railway right of way in Section 31, Township 20 South, Range 2 East; also all the NE $\frac{1}{4}$  of Section 6, Township 21 South, Range 2 East, lying northwest of Southern Railway right of way in Shelby County, Alabama.

Their possession and claim has been evidenced by cultivating the lands, renting portions thereof from time to time, living on the premises, and exercising every other right of ownership. No person other than S. S. McEwen and wife, Barbara McEwen, and their predecessors in title have been in possession of any portion of said lands during said period.

To my personal knowledge, J. A. Leibacher and his predecessors in title have been in open, continuous and adverse possession of that part of Fractions "L" and "M" lying north of Yellow Leaf Creek and south of the Southern Railway Company right of way in Section 32, Township 20 South, Range 2 East, in Shelby County, Alabama, for more than twenty years past, have lived on the premises, conducted fishing camps thereon and cut the timber therefrom at will. No other person has been in possession of any portion of this land during that period, nor have I ever heard of any claims or dispute as to the ownership.

I have no interest in either of the above tracts, and make this statement from my own knowledge of the lands and possession thereof.

Subscribed and sworn to before me  
this 26<sup>th</sup> day of March, 1957.

  
Notary Public

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON 2/2 1957  
RECORDED & 3 MTG. TAX  
& \$ DEED TAX HAS BEEN  
PD. ON THIS INSTRUMENT.  
Conrad W. Fowler  
JUDGE OF PROBATE

