

1073

STATE OF ALABAMA )  
SHELBY COUNTY )

Before me, the undersigned authority, in and for said County and State, personally appeared Mr. Gertrude Lee Kirkley who, being known to me, and being by me first duly sworn, deposes and says as follows:

That he is 59 years of age and presently resides at Underwood Alabama; that he has been acquainted with the occupation, use and possession of the following described property for the last past 35 years:

Apart of the SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 5, Tp 22 South, Range 3 West, described as follows: Begin at the SW corner of said SW $\frac{1}{4}$  of NE $\frac{1}{4}$  and run North along West line of said SW $\frac{1}{4}$  of NE $\frac{1}{4}$  341.89 feet to the point of beginning of the lot herein described; from said point of beginning run in an Easterly direction along the North line of property which was formerly known as the Samie Johns property 250 feet, more or less, to the West right of way line of Dogwood Church Road; thence in a Northerly direction along the West right of way line of said road 343.50 feet, more or less, to the Southerly line of property owned by Gertrude Lee Kirkley; thence in a Westerly direction along the Southerly line of property belonging to Gertrude Lee Kirkley, to West line of said SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Sec. 5; thence in a Southerly direction along said West line of SW $\frac{1}{4}$  of NE $\frac{1}{4}$  of said Section 5, 343 $\frac{1}{2}$  feet, more or less, to point of beginning. MINERALS AND MINING RIGHTS EXCEPTED.

Further deposing, affiant says that he remembers when this property was purchased by R. M. Fancher from William Boothe and wife, Eva Boothe on April 19, 1941. Further deposing, affiant says that upon the execution and delivery of the said deed in 1941 the said R. M. Fancher moved on said land and occupied the house situated on the same and remained in possession of the same exercising all rights of possession over the same continuously until he sold the property to O.N. Bailey and wife, Mary C. Bailey on January 1, 1954. Further deposing, affiant says that upon the execution and delivery of said deed, the said O. N. Bailey and wife, Mary C. Bailey moved upon said land and occupied the house situated on the land up until the land was sold to Aaron J. Nabors and wife, Frances L. Nabors on January 3, 1955. Further deposing, affiant says that upon the execution and delivery of said deed, the said Aaron J. Nabors and wife, Frances L. Nabors took possession of the land and occupied the dwelling situated on the same.

Further deposing, affiant says that he is also acquainted with the following described land:

A part of the SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 5, Tp 22 South, Range 3 West described as follows: Begin at the SE corner of said SE $\frac{1}{4}$  of NW $\frac{1}{4}$  and run North along East line of said SE $\frac{1}{4}$  of NW $\frac{1}{4}$  341.89 feet to the point of beginning of the lot herein described; from said point of beginning continue North along the East line of said SE $\frac{1}{4}$  of NW $\frac{1}{4}$  687 feet; thence run South 87 deg. 10' West 127.6 feet; thence run South 2 deg. 50' East 687 feet; thence North 87 deg. 10' East 127.6 feet to the point of beginning. MINERALS AND MINING RIGHTS EXCEPTED.

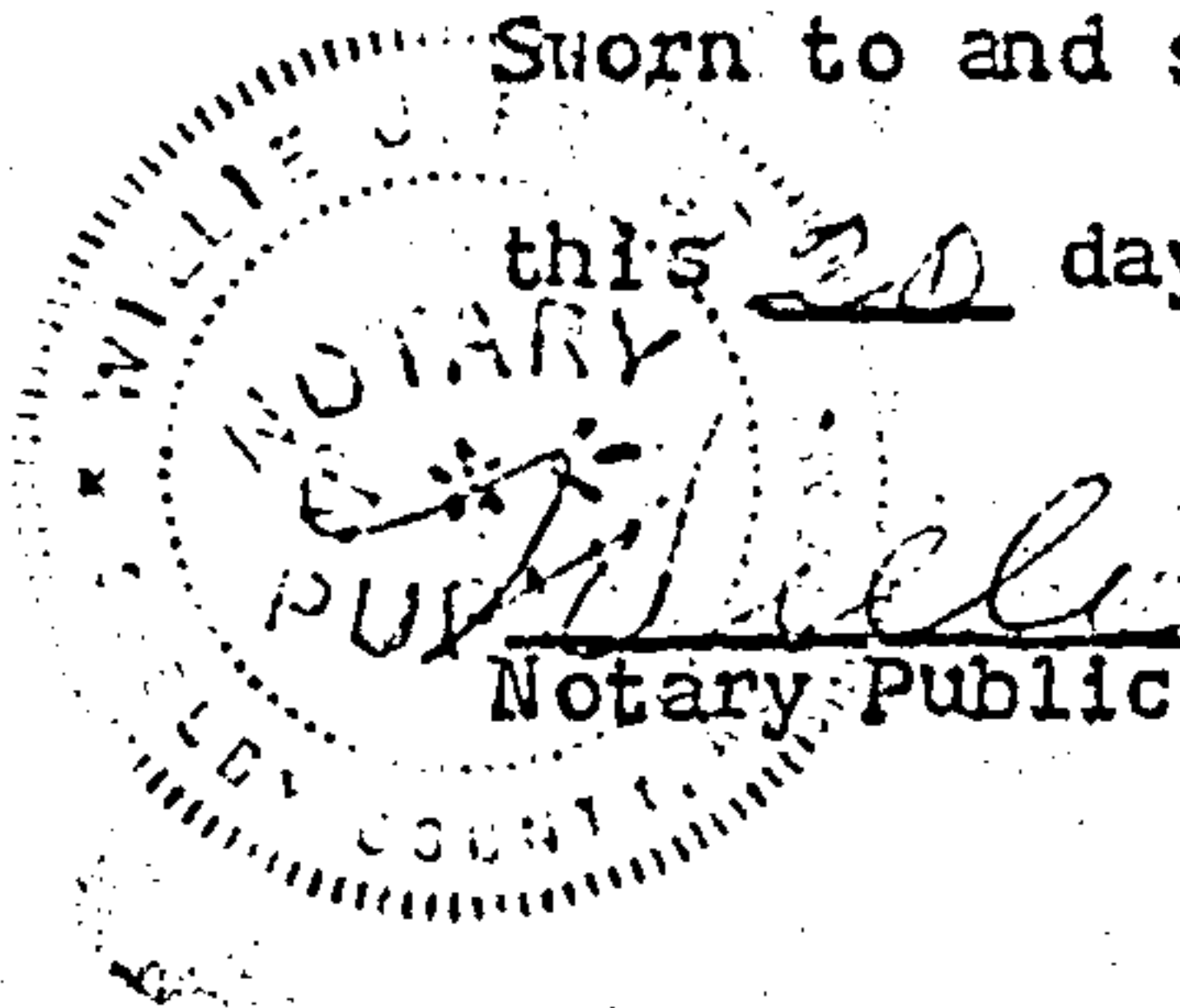
This property was purchased by R. M. Fancher from Little Jim Coal Company of Alabama on November 17, 1949, and that the same has been occupied by R. M. Fancher and his grantee, O. N. Bailey and wife, Mary C. Bailey and the present owners, Aaron J. Nabors and wife, Frances L. Nabors since the date of purchase by R. M. Fancher.

Further deposing, affiant says that in the entire time that he has known the land now owned by and occupied by Aaron J. Nabors and Frances L. Nabors, that he has never heard their title, or the title of the persons through whom they hold title questioned in any way.

Mrs. Gertrude P. Kirkley

Sworn to and subscribed before me

this 20 day of November, 1962.



STATE OF ALA. SHELBY CO.  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON 11/21  
p. 11/21 1962  
RECORDED & \$.....MIG. TAX  
& \$.....DEED TAX HAS BEEN  
PD. ON THIS INSTRUMENT.

Conrad M. Fancher  
JUDGE OF PROBATE