

199

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 4/1/63
RECORDED & \$4 MTG. TAX
& \$4 DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

STATE OF ALABAMA)
SHELBY COUNTY)

Before me, the undersigned authority, in and for said County and State, personally appeared C. C. Broadhead, *Conrad M. Fowler*
JUDGE OF PROBATE

who, being known to me, and being by me first duly sworn, deposes and says as follows:

That he is 62 years of age and has been a resident citizen of Shelby County, for the last past 62 years. That he has been acquainted with the ownership, use and possession of the following described land for the last past 50 years:

N $\frac{1}{2}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 11, Township 24, Range 11 East, Bibb County, Alabama, Mineral and Mining rights excepted.

Affiant says that when he first knew this land it was owned by J. E. Mahan in the year 1912. Mr. Mahan was in the actual possession of the land, using the same for row crop and for cultivation. During the entire time that the same was owned by J. E. Mahan, he cultivated the same up to and including the time of his death on February 20, 1931, leaving surviving him as his next of kin and sole surviving heirs at law, William Henry Mahan, Horace Edgar Mahan and Mary L. Mahan, his widow.

Further deposing, affiant says that he remembers when the heirs of J. E. Mahan sold the property to Lizzie G. Fountain in September of 1946, and recalls when Lizzie G. Fountain and husband, and William Penn Fountain and wife joined in a conveyance of the same to O. C. Chessser on April 21, 1951.

Affiant also remembers when O. C. Chessser conveyed the same to Charles T. Wallace, Jr., on March 17, 1961.

It has been called to affiant's attention that in several of the deeds the land was designated as lying in Range 11 West, and affiant knows that this is simply an error of the person preparing the deed and that said property lies in Range 11 East. And in each instance when the property was conveyed, the party to whom it was conveyed, went into the actual possession of the same as described above.

Further deposing, affiant says that for the last past 50 years affiant knows of his own knowledge that the present owner, C. T. Wallace, Jr., and his predecessors in title have been in the actual, adverse, continuous, hostile, and exclusive possession and he has never heard their title questioned in any way.

Sworn to and subscribed before me this 13 day of April 1962.

C. C. Broadhead J. P.

C. C. Broadhead

BOOK 223 PAGE 972