

2.3.82  
STATE OF ALABAMA )

COUNTY OF SHELBY )

Before me, *Walter Cornelius*, a Notary Public in and for said County in said State, personally appeared Clarence H. Harris, who, being by me first duly sworn, deposes and says as follows:

That the affiant owns certain real property having the mailing address of Route 2, Box 417A, Bessemer, Alabama, and located just off Highway 150, known as the Bessemer Cut-off Road in Shelby County, Alabama. That the affiant's said property adjoins certain lands owned by Grady L. Luster and wife, Aline E. Luster, at the Northwest corner thereof. That the affiant purchased his said property from J. W. Donnelly and wife, Minnie Donnelly, in 1942 and went into the immediate possession, occupation and control thereof, and has lived thereon continuously from said date to the present date hereof. That the said Grady L. Luster and Aline E. Luster purchased their said property on June 24, 1953, from G. M. Harlow and wife, Minnie Harlow, by that certain Lease Sale Contract which is recorded in Deed Book 181, at Page 61, in the Probate Office of Shelby County, Alabama, and which describes the Luster property as follows:

Part of SW 1/4 of NE 1/4 of NW 1/4 of Section 26, Township 19, Range 3 West described as follows: Begin at the Southwest corner of said SW 1/4 of NE 1/4 of NW 1/4 and run thence East along South boundary line 402.8 feet to the West line of old Cahaba Estates Road; thence North 20 deg. 30 min. East along West line of said road 70 feet to the point of beginning of lot herein described; thence North 48 deg. 02 min. East along Northwest line of said road 302.5 feet; thence North 2 deg. 11 min. West 398.7 feet; thence south 88 deg. 41 min. West 625.3 feet to East line of New Cahaba Estates road from Bessemer Cut-off;

thence south 4 deg. 45 min. East along new road 109.3 feet; thence South 40 deg. 04 min. East and along NE line of said new road 628.2 feet to point of beginning. Containing 5.75 acres, more or less. Except minerals and mining rights. Situated in Shelby County, Alabama.

That the said G. M. Harlow and Minnie Harlow were in the possession of the above described realty, together with other properties, when the affiant purchased his said property from J. W. and Minnie Donnelly in 1942. That the said G. M. Harlow and Minnie Harlow claimed to be the sole and absolute owners of the above described realty on said date of 1942 and tried to sell said property to the affiant in said year and on many other occasions preceding the sale to the Lusters on said date of June 24, 1953. That the Harlows built a house on their properties adjoining the above described realty in 1942 at about the same time that the affiant commenced the construction of his own home on his lands. That in about the said year of 1944 the affiant and the Harlows had their respective properties, including the above described realty, fenced in. That the same workmen who constructed the affiant's fences also erected the Harlow fences. That immediately upon the enclosure thereof by hog wire and barb wire, the Harlows cut the timber from the above described realty and placed goats thereon. That the Harlows continued to so use said realty continuously from the said date of about 1944, until they sold the same to the Lusters on said date of June 24, 1953.

That immediately upon their purchase of the above described realty on said date of June 24, 1953, the said Grady L. Luster and wife, Aline E. Luster, went into the actual possession, occupation and control thereof and commenced the construction of a dwelling house thereon. That the Lusters moved into said dwelling house during the summer of 1954 and



have lived therein continuously from said date to the present date hereof.

That during all of the period from 1942 to the present date hereof the affiant has not heard the title of the said G. M. Harlow and wife, Minnie Harlow, and the said Grady L. Luster and wife, Aline E. Luster, in and to the above described realty, or any portion thereof, in any way disputed. That during all of said period no person, other than the said Harlows and the said Lusters has been in the possession of said realty or any portion thereof.

That the affiant has never heard of any dispute as to the boundary lines of the above described realty as established by the said fences constructed by the said G. M. Harlow. That the said fences have been generally accepted through the community as the true and correct boundary lines of said realty. That both the said G. M. Harlow and the said Minnie Harlow are now dead.

WITNESS MY HAND and seal this the 2nd day of

April, 1963.

Clarence H. Harris  
Clarence H. Harris

Sworn to and subscribed before me this 2nd day of April, 1963.

Walter Cornelius  
Notary Public  
My Commission Expires: 5-31-65

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON 4/8 1963  
RECORDED & \$.....MTG. TAX  
& \$.....DEED TAX HAS BEEN  
PD. ON THIS INSTRUMENT.

Correll M. Joubert  
JUDGE OF PROBATE