

STATE OF ALABAMA

SHELBY COUNTY

4249

Personally appeared before me the undersigned authority in and for said State and County I. L. SHARBUTT, who first, after being duly sworn, deposes and says, that he has known the real estate hereinafter recited for more than 40 years; that he recalls when J.H. Wilder sold to J.W. and M.J. Gill the E $\frac{1}{2}$  of the NW $\frac{1}{4}$  and 6 acres off the East side of the N $\frac{1}{2}$  of the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$ , all in Section 20, Township 19, Range 2 East and the deed of record being recorded in the Office of Probate Judge, Shelby County, Alabama, in Deed Record Book 69 at page 47. The recitation of Range 1 East shown in said deed, is in error and the correct range is 2 East. That M.J. Gill was the wife of J.W. Gill and she died about the year 1926. J.W. Gill subsequently married Rossie Southern and they lived together as husband and wife until the year of the death of J.W. Gill in 1936; that Rossie Gill, as the widow of J.W. Gill had set aside to herself, a homestead consisting of 126 acres described as follows: E $\frac{1}{2}$  of the NW $\frac{1}{4}$ , 6 acres off the East side of the N $\frac{1}{2}$  of the NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; NW $\frac{1}{4}$  of the SE $\frac{1}{4}$ , ~~in~~ all in all in Section 20, Township 19, Range 2 East, Shelby County, Alabama; that the deed of Mortgage executed by R.C. Dyer and wife, Onor Dyer; Nelson Gill and wife Kate Gill to Rossie Gill dated the 30<sup>th</sup> day of October, 1937 and recorded in the Office of the Probate Judge in Shelby County, Alabama, in Mortgage Record Book No. 168 at page 361, which has been paid in full as noted in the margin thereon, and said Mortgage when paid in full, operated and was in effect a release and conveyance of the homestead interest of Rossie Gill to the heirs at law of J.W. Gill, deceased and that the said Rossie Gill is now deceased and died in the year 1957. J.W. Gill, his widow, Rossie Gill and the heirs at law of J.W. Gill and their assigns have been open, notorious, exclusive and continuous control and possession of the following described real estate for more than 40 years:

E $\frac{1}{2}$  of NW $\frac{1}{4}$ ; the East 6 acres of the N $\frac{1}{2}$  of NE $\frac{1}{4}$  of SW $\frac{1}{4}$ ; the NW $\frac{1}{4}$  of SE $\frac{1}{4}$ ; The SE $\frac{1}{4}$  of NE $\frac{1}{4}$ , except 210 feet (East and West) by 630 Feet (North and South) in SW corner, all in Section 20, Township 19 South, Range 2 East. Excepting Highway right of way; and being known as the John Gill place, located 3 miles West of Vincent, referred to and recorded in Will Record Book 6 at Page 493, in the Office of the Probate Judge, Shelby County, Alabama.

At no time have I heard of the title to the said real estate questioned in any way, other than in J.W. Gill, his widow, his heirs at law and their assigns.

This the 24<sup>th</sup> day of May, 1963.

I. L. Sharbutt  
Affiant

Sworn and subscribed to before me this  
24<sup>th</sup> day of May, 1963.

James W. Sharbutt  
Notary Public

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON 5/27/63  
RECORDED & \$.....MTG. TAX  
& \$.....DEED TAX HAS BEEN  
PD. ON THIS INSTRUMENT.

Conrad M. Fowler  
JUDGE OF PROBATE