

1172

STATE OF ALABAMA
SHELBY COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared J. W. Davidson, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is J. W. Davidson. I am 76 years of age and was born in the town of Helena, Alabama, and have been familiar with the property hereinafter described all of my life. Said property being described as follows:

Begin at the northeast corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10, Township 20 South, Range 3 West and run south along the east boundary of the said SE $\frac{1}{4}$ of SW $\frac{1}{4}$, a distance of 654 feet, more or less, to a point on the west right of way line of the Helena-Acton paved road; thence run southwesterly along the west right of way line of the said Helena-Acton Road for 730 feet, more or less, to the point of intersection of the west R.O.W. line of said Helena-Acton Road and the south boundary line of said SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 10; thence run west along the south boundary of the said SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 10 for 992.74 feet to a point on the top of a Ridge, said point being 86.51 feet east of the SW corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 10; thence turn an angle of 82 deg. 22 min. to the right and run along the top of said ridge 183.2 feet; thence turn an angle of 17 deg. 10 min. to the right and run along the top of said ridge 270.0 feet; thence turn an angle of 5 deg. 08 min. to the right and continue along the top of said ridge 332.4 feet; thence turn an angle of 7 deg. 38 min. to the left and continue along the top of said ridge 245.0 feet; thence turn an angle of 5 deg. 13 min. to the right and continue along the top of ridge 303.5 feet; thence turn an angle of 15 deg. 17 min. to the right and run 25.0 feet, more or less, to a point on the north boundary line of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 10; thence run east along the north boundary line of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 10, for 998.5 feet, more or less, to the point of beginning. This being a part of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 10, Township 20 South, Range 3 West and containing 33.26 acres, more or less; except Transmission Line Permits.

Also from the northwest corner of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15, Township 20 South, Range 3 West, run east along the north boundary of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 15 for 86.51 feet to the point of beginning; thence continue east along the north boundary of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 15 for 456.16 feet, more or less, to a point in the center of the old Helena-Acton Road; thence turn an angle of 99 deg. 58 min. to the right and run southwesterly along the center line of the said Old Helena-Acton Road for 201.0 feet; thence turn an angle of 10 deg. 47 min. to the left and continue along the center line of said road 153.6 feet; thence turn an angle of 18 deg. 53 min. to the right and continue along the center line of said road 103.5 feet; thence turn an angle of 16 deg. 47 min. to the right and continue along the center line of said road 304.06 feet; thence turn an angle of 22 deg. 45 min. to the left and continue along the center line of the said road 271.3 feet, more or less, to the point of intersection of the center line of the Old Helena-Acton Road and the center line of the J. D. Ruffin private road; thence turn an angle of 96 deg. 28 min. to the right and run along the center line of the J. D. Ruffin private road for 238.0 feet, more or less, to the point of intersection of the center line of the J. D. Ruffin private road and the west boundary line of the said NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 15; thence run north along the west boundary line of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 15 for 590 feet, more or less, to a point on the top of a ridge, said point being marked by a T.C.I. & R.R. Co. Corner; thence turn an angle of 15 deg. 45 min. to the right and run along the top of said ridge 320 feet, more or less, to the point of beginning.

Excepting however from the above described land the lot conveyed to Allen Jones, by a quit claim deed from Paramount Coal Company recorded Volume 124 page 298 in the Probate Office of Shelby County, Alabama, described as follows: Commencing at a point on the Helena Road where the private road of J. D. Ruffin intersects said Helena Road; thence west along said private road 237 feet, more or less to the west boundary line of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15, Township 20 South, Range 3 West; thence north along said 40 line 183.0 feet; thence east 248 feet to said Helena Road; thence south along said Helena Road 190 feet to point of commencement, and containing 1 acres, more or less.

This being a part of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15, Township 20 South, Range 3 West, and containing 6.3 acres, more or less.

Also from the northeast corner of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of SECTION 15, Township 20, South, Range 3 West run west along the north boundary line of the said NE $\frac{1}{4}$ of NW $\frac{1}{4}$ for 245.0 feet, more or less, to the point of intersection of said north boundary line of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 15, and the west right of way line of the Helena-Acton paved road for the point of beginning of the land herein described; thence run southwesterly along the west R.O.W. line of the said Helena-Acton road for 590 feet, more or less, to the point of intersection of the said West R.O.W. line of the Helena-Acton Road and the east boundary line of the Matt Crawford lot; thence run north 5 deg. east along the east boundary line of the said lot 150.0 feet, more or less, to the northeast corner of the said lot, said point being marked by an iron rail; thence run north 71 deg. west along the north boundary of said lot 191.4 feet, more or less, to a point on the east right of way line of the Alabama Power Company Transmission Line; thence run northwesterly along the said Alabama Power Company east right of way line for 130.0 feet, more or less, to the center line of the Old Helena-Acton Road; thence run northeasterly along the center line of the Old Helena-Acton Road 148.0 feet, more or less, to the point of intersection of the center line of the Old Helena-Acton Road and the north boundary line of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 15; thence run east along the north boundary line of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 15, for 535.0 feet, more or less, to the point of beginning. This being a part of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15, Township 20 South, Range 3 West, and containing 3.54 acres, more or less.


Being situated in Shelby County, Alabama

Affiant says when he first remembers said land it was owned by and in the possession of W. W. Roy, better known as Bill Roy. Affiant says it has been called to his attention the description in the deed conveying the land to W. W. Roy in the year 1891, as shown by deed recorded in Deed Book 30 page 426 in the Probate Office of said County. Affiant says he knows of his own knowledge that W. W. Roy owned all the land which he purchased, as well as certain other lots and probably a strip off the east side which had been sold off subsequent to the time Mr. Roy purchased it. Affiant further says he knows W. W. Roy claimed to the north line of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said SECTION 10 and all the way across to the northeast corner of it in a westerly direction to the center line of Conglomerate Ridge, which has heretofore been referred to in some of the old deeds as a "water divide". Affiant says in reality Mr. Roy owned and was in possession of a strip east of said SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 10, but affiant/further says the said W. W. Roy owned and was in the possession of all that portion of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 15 lying north of the Denson Mill Road and east and north of the Matt Crawford lot and he also owned that portion of said forty acres lying west of the old Helena road and east of said Conglomerate Ridge and north of the Allen Jones one acre. Affiant says Alton Young, Surveyor, in February, 1960, made a survey of the land claimed by affiant and the map of said survey shows the physical marks mentioned in this affidavit. Affiant further says the said W. W. Roy lived in a house which is situated on the line dividing the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 10 and the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 15 and that said house was old when affiant first remembers it and in addition thereto, the said W. W. Roy had some barns and outhouses and some tenant houses along both sides of the Helena road in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said SECTION 10, which he rented out to tenants, and the said

W. W. Roy had some patches and small fields around on the land, including the cleared area around his house. Affiant says that the pasture near his house was under fence and that he had some fencing along the old Helena Road and affiant is confident he had some other fences, but does not recall exactly where they were. Affiant further says he knows the said W. W. Roy lived on said land each and every year from the time he purchased it each and every year until his death a short time before 1915. After which, the heirs of W. W. Roy made a deed to Emma Roy, his widow in August, 1915, as shown by deeds recorded in Deed Book 58 page 366 and page 364. Affiant says all of said heirs were the children of Elizabeth Roy who was W. W. Roy's first wife and that the said W. W. Roy had 2 children by his second wife, Emma Roy, namely: Mary Lee Roy, who later married a Stewart and Vincent J. Roy.

Affiant further says the said Emma Roy continued in the actual possession of the land as her husband had and lived on the premises and has parts of it cultivated and rented the houses out to tenants each and every year until her death sometime after 1950. After which, the said Vincent J. Roy and Mary Lee Roy Stewart continued in the actual possession of said land until they sold it to affiant in February, 1960, as shown by deed recorded in Deed Book 207 page 469 in said Probate Office. Affiant says there was some confusion about a deed made by Vincent J. Roy and Mary Lee Roy Stewart to Willie Webb Seale recorded in DEed Book 207 page 464 and thereafter affiant obtained a quit claim deed from Willie Webb Seale conveying any claim she might have in the above described land to affiant.

Affiant further says since he purchased said land, he has cleared a portion of it in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 10 and has built approximate two acre lake and has also cleared a portion of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 15 and built a one acre lake there. Affiant tore down some of the old fences and tenants houses situated on the land. Affiant says he has been on said land frequently and has never heard of anyone contesting his title or disputing his claim or the persons through whom he claims, for more than 60 years back.


J. W. Davidson

Sworn to and subscribed to before me this
the 28th day of October, 1963.


Notary Public

228 247

State of Alabama

Shelby County

Before me, the undersigned authority in and for said County, in said State, personally appeared T. S. Wallace, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is T. S. Wallace. I am 64 years of age and have lived in Helena, Alabama, all of my life and have all along been well acquainted the the land described in the foregoing affidavit of J. W. Davidson, and the persons in possession of it. Affiant says that he can remember the property well for the past 50 years and has read said affidavit of J. W. Davidson and for the past 50 years, he would say the matters and things stated by J. W. Davidson are true and correct.


T. S. Wallace

Sworn to and subscribed to before me this
the 28th day of October, 1963.


Notary Public

228 348

STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared F. F. Mullins, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is F. F. Mullins. I am 81 years of age and have been familiar with the property described in the foregoing affidavit of J. W. Davidson, for the past 49 years. Affiant says that the matters and things stated by J. W. Davidson which covered the past 49 years are true and correct to his personal knowledge.

F. F. Mullins
F. F. Mullins

Sworn to and subscribed to before me

this the 28 day of October, 1963.

L. S. Wallace
Notary Public

NOTARY PUBLIC
SHELBY COUNTY, ALA.
EX-100

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 11-22-1963
RECORDED & \$..... MTG. TAX
& \$..... DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

Correll M. Jambler
JUDGE OF PROBATE