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STATE OF ALABAMA

SHELBY COUNTY

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

My name is Nathan Thomas Pitts. I am 66 years of age and I recall when my father purchased the northerly portion of the hereinafter described land in the year 1905 from New England Mortgage Security company, about which I have testified in detail in a case styled Emma Pitts, Complainant, vs Leavitt J. Hunt, et al recorded in Final Record 14 page 309 in the Circuit Court of Shelby County, Alabama, in Equity. I also recall when my father J. B. Pitts purchased the southerly portion of the hereinafter described land, along with all of the hereinafter described land situated in E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 26, /from T. W. Tinney in 1904, as shown by deed recorded in Deed Book 27 page 419 in the Probate Office of Shelby County, Alabama. Said land is described as follows:

Commence at the northwest corner of the SW $\frac{1}{4}$  of Section 25, Township 21 South, Range 1 West, thence run north 89 deg. 27 min. east along the north line of said quarter section a distance of 680.0 feet to the point of beginning; thence continue north 89 deg. 27 min. east a distance of 3346.09 feet to the northeast corner of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$ ; thence run south 0 deg. 05 min. west along the east line of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  and the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  a distance of 2342.65 feet; thence run north 88 deg. 05 min. west a distance of 2272.02 feet; thence run north 89 deg. 45 min. west a distance of 586.49 feet; thence run north 0 deg. 19 min. East a distance of 210.0 feet; thence run north 88 deg. 16 min. West a distance of 1177.70 feet to a point on the west line of Section 25; thence run south 89 deg. 21 min. east a distance of 146.25 feet to a point on the East R.O.W. line of the L & N Railroad; thence run north 20 deg. 21 min. West along the east line of said railroad R.O.W. a distance of 841.25 feet; thence run north 74 deg. 53 min. East a distance of 189.64 feet to the west line of the Columbiana-Shelby road; thence run north 57 deg. 10 min. East a distance of 57.70 feet to the east line of the Columbiana-Shelby road; thence north 89 deg. 27 min. East a distance of 212.0 feet to the west line of Section 25; thence continue north 89 deg. 27 min. East a distance of 680.0 feet; thence run north 0 deg. 19 min. East a distance of 1109.73 feet to the point of beginning, being a part of the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$ , a part of the SW $\frac{1}{4}$  of SW $\frac{1}{4}$ , a part of the SE $\frac{1}{4}$  of SW $\frac{1}{4}$ , a part of the SW $\frac{1}{4}$  of SE $\frac{1}{4}$  and all of the NE $\frac{1}{4}$  of SW $\frac{1}{4}$  and all of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 25, Township 21 South, Range 1 West and a part of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  and a part of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 26, Township 21 South, Range 1 West, Shelby County, Alabama.

Affiant says after his father had purchased the lands mentioned above, he owned all of the above described land, except for a small strip J. B. Pitts purchased from Ruby and Albert Smith in 1938, as shown by deed recorded in Deed Book 104 page 255 in said Probate Office. Affiant says his father made a deed to all of said land which he owned to Emma Pitts, affiant's mother in 1905.

Affiant says at the time his father purchased said land as mentioned above, there was a 4-room house facing what was then called the Montgomery Road and is now known as the Columbiana-Shelby paved road near the southwesterly portion of the above described land. Affiant says his father and mother rebuilt, , added to and improved said 4 room house to its present size. Affiant says his father and mother also built a barn, tool shed and other outbuildings on

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the land and through the years they built two additional dwelling houses on said land, which were rented to tenants. My father fenced 45 to 50 acres of the land for pastures and had approximately 125 acres in cultivation. The north line of the above described land was generally marked by fences where were constructed either by my father or the adjoining property owners. The east line was marked by a fence constructed for my Mother. The south line of said land is marked by a fence and the southwesterly line of said land is bordered by the right of way of the L & N Railroad and the lines bordering the Columbiana cemetery and the lines of the Columbiana Housing Authority and the corners are well marked. Affiant further says his Mother and Father lived in the dwelling house situated on the land and reared their family there and cultivated the land each and every year until the death of his Father. After which, affiant stayed on the place and cultivated the same for his Mother for several years and then she rented the place out to tenants who cultivated it for many years. After her death, affiant and Emmie Pitts Davidson have taken the property into possession and have rented it out to tenants from time to time and have rented the dwelling houses on said land each and every year while they have been Executors of the Estate and until this very day. Affiant further says his Mother, as long as she lived, and since her death, he and his sister as Executors, have kept a close watch on the premises and no one has ever claimed any portion of the land or encroached upon any of it throughout all the years.

Affiant further says regarding a deed from Thomas A. Brasher and wife to Emma Pitts made in 1911 and recorded in Deed Book 51 page 198, the same was a curative deed for the purpose of recognizing title in affiant's mother. Affiant says the Brashers had formerly owned some interest in said land.

Affiant says regarding an easement from J. B. Pitts and Emma Pitts to R. A. and J. S. O'Hara made in 1907 and recorded in Deed Book 34 page 494, that the said O'Haras never installed a pipe along said easement and never claimed any interest in the same thereafter and no one has ever made any claim to said easement since the time of the execution of said instrument.

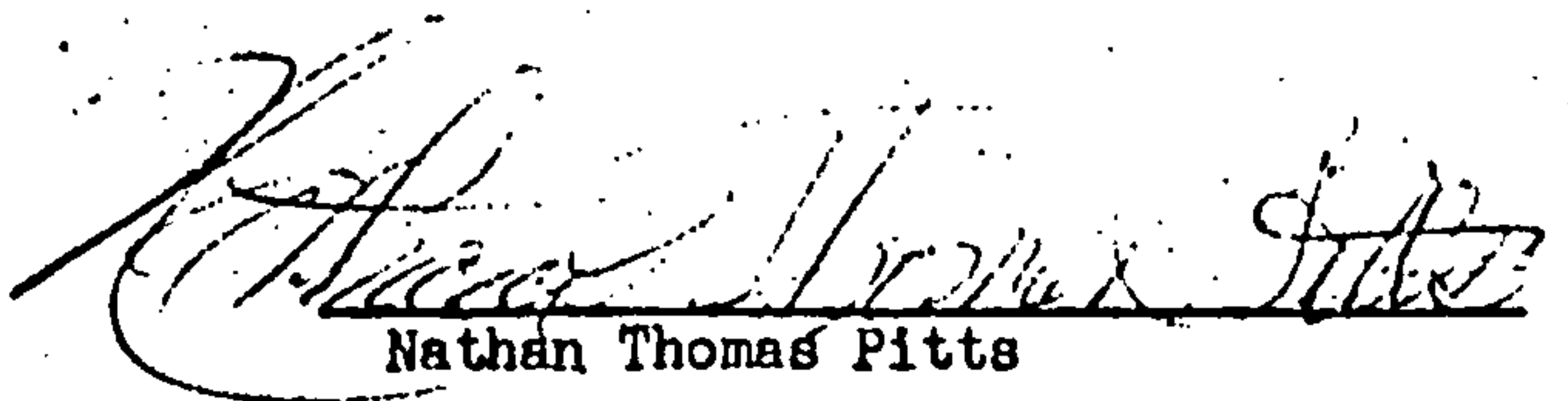
Regarding a deed from A. H. Mullin to J. B. Pitts in 1904 as shown by deed recorded in Deed Book 32 page 375, affiant says said land described lay south of the above described land.

There is called to affiant's attention a deed from J. B. Pitts and Emma Pitts to S. F. Nelson and B. A. Nelson made in 1908 covering a strip of land lying south of the above described land. There is also called to affiant's attention a deed from Ruby Smith and Albert Smith to J. B. Pitts dated in March, 1938 conveying a strip of land 12 yards wide along the southerly portion of the above described land. Affiant says the line established by said deed is the line now in being and recognized by the adjoining land owners and there is no dispute about the same. Affiant says that neither Ruby Smith, Albert Smith nor any of their heirs nor D. T. Nelson nor any of the heirs of S. F. Nelson or B.A. Nelson or anyone else has made any claim to said 12 yard strip of land since the same was conveyed to J. B. Pitts and all parties have recognized the same as being a bona fide conveyance and that the said Emma Pitts and her devisees have been in the absolute possession of said strip of land since 1938.

Affiant says regarding a deed from Eva M. Watson and Ira A. Watson to Will T. Seale recorded in Deed Book 132 page 355, I am familiar with the strip of land covered in said deed and know it does not overlap or encroach upon the above described land.

Affiant further says he is familiar with the property sometime called the Coshatt property, which was formerly known as the Longshore property and affiant says he knows where it adjoins the above described land, and knows there is not overlapage on the ground and there has never been any dispute between the parties owning the Coshatt property and the persons owned the above described land.

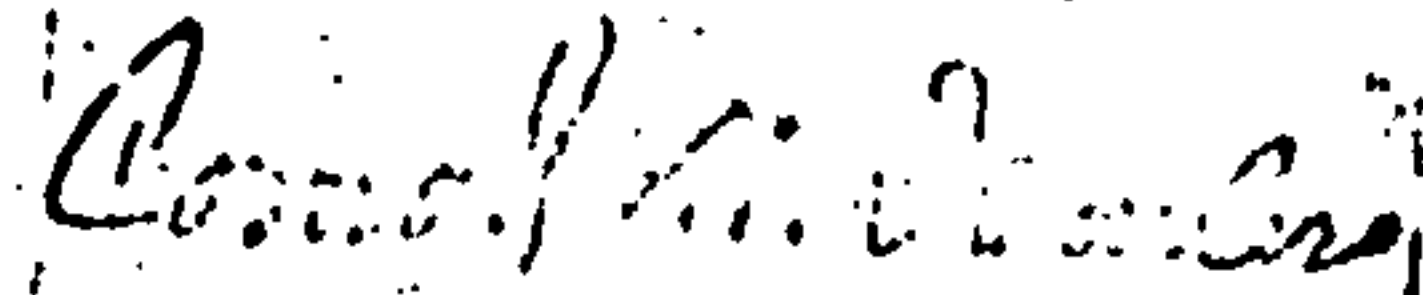
Throughout all the years I have known the above described land, I have never heard of anyone disputing our title or possession to any of the same.

  
Nathan Thomas Pitts

Sworn to and subscribed to before me on  
this the \_\_\_\_\_ day of December, 1964.

  
Notary Public

STATE OF ALA. SHERIFF CO.  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON 1/22/65  
RECORDED & INDEXED  
PD. ON 1/22/65

  
JUDGE OF PROBATE

BOOK 233 PAGE 823