

1943

STATE OF ALABAMA)

SHELBY COUNTY)

Before me, the undersigned authority, in and for said County and State, personally appeared W. B. Nichols, who, after being duly sworn to speak the truth, deposes and says as follows:

My name is W. B. Nichols and I reside at Columbiana, Alabama in Shelby County. I am 73 years of age. I have been familiar with the occupation, use and possession of the hereinafter described tract of land for a period in excess of 30 years, to-wit:

One acre more or less described as beginning 660 feet East from the SW corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 2, Township 21, Range 1 East, and running thence South to the North right of way line of the paved Highway; run thence East 35 yards and parallel with said Highway right of way, and along the North line thereof; run thence North 140 yards to the South line of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$; run thence West along the South boundary line of said NE $\frac{1}{4}$ of SE $\frac{1}{4}$ a distance of 35 yards to the point of beginning and being in Section 2, Township 21 South, Range 1 East, and containing 1 acre more or less.

Also the following described lot; Beginning at the NW corner of the last above described one acre and heretofore owned by C. O. Glenn and on which a dwelling house is situated and running thence West 32 yards; thence North 32 yards to a ditch; thence in an Easterly direction along an old road 119 $\frac{1}{2}$ yards to the Northwest corner of the George Vernon Roberson tract of land, deeded to him on April 12, 1943; said corner being on aforesaid old road; thence South along the West boundary line of said George Vernon Roberson tract of land 32 yards; thence West along the North boundary line of said George Vernon Roberson lands and the first above described 1 acre of land formerly known as the C. O. Glenn land, a distance of 67 $\frac{1}{2}$ yards to point of beginning, containing $\frac{3}{4}$ or an acre more or less and being in Section 2, Township 21, Range 1 East, situated in Shelby County, Alabama.

The above described tract of land was deeded to my wife, Lucile Nichols, by deed recorded in Deed Book 69 at page 322 in the probate records of Shelby County, Alabama. The above described land was a part of an entire tract purchased by me by the above said deed and I possessed and farmed the said above described property from the time I purchased it each and every year up until I sold one part thereof to Ollrige Glenn in 1942 by deed recorded in Deed Book 115, page 253. Approximately a year later, I sold the remaining portion of said above described property to C. E. Glenn, who is one and the same person as Ollrige Glenn, the last mentioned deed being recorded in Deed Book 116 at page 107. Immediately after C. O. Glenn purchased the said above described lots, he constructed a residence thereon and moved into the same with his family. He lived on the above described property with his

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family up until March 30, 1950, when he sold the said property to E. E. Cardwell. Immediately after E. E. Cardwell purchased the said property, he and his family moved thereon and occupied and possessed the same to the exclusion of all others until November of 1952 when he sold the same to A. E. Ray by deed recorded in Deed Book 223 at page 453. Immediately after A. E. Ray purchased the property as aforesaid, he moved on the said property and resided thereon with his family up until approximately one month before the date of this affidavit, at which time, he moved to another residence. During the more than 30 years that I have known said above described property, it has been lived on and possessed openly, notoriously, adversely, to the exclusion of all others by A. E. Ray and his aforesaid predecessors in title and I have never heard the title of A. E. Ray or his predecessors in title questioned in any way.

I am familiar with the John Green lot which is mentioned as an exception in the deeds recorded in Deed Book 89, page 322, Deed Book 69, page 366, Deed Book 64, page 120, Deed Book 59, page 406, and Deed Book 50, page 255, all in the probate records of Shelby County, Alabama, and said John Green lot does not join, touch, or overlap the above described property at any point or place, and in fact, the said John Green lot is located in the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 1, Township 21, Range 1 East.

I am familiar with the tract of land purchased by W. D. Scott and wife, Hazel Scott, from A. E. Ray and wife, Audrey Ray, by deed recorded in Deed Book 229, page 65, in the probate records of Shelby County, Alabama, and I know that said lot does not overlap on the above described property at any point or place, but lies immediately West of said above described property and W. D. Scott and wife, Hazel Scott, do not possess or claim any interest to the above described property.

Witness my hand and seal this 11th day of February, 1965.

W. B. Nichols

Sworn to and subscribed
before me this 11th day
of February, 1965.

Frank Ellis, Jr.
Notary Public

STATE OF ALA. SHELBY CO. 1
I CERTIFY THIS INSTRUMENT
WAS FILED ON 2/12/65
RECORDED & INDEXED
& \$... TAX
PD. CH...
JUDGE OF PROBATE

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