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STATE OF ALABAMA )

SHELBY COUNTY )

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

My name is W. B. Cross. I presently reside at Route 1, Columbiana, Alabama, and I have been familiar with the occupation, use, and possession of the hereinafter described land for a period in excess of 20 years, to-wit:

A part of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 10, Township 21 South, Range 1 East described as follows: For point of beginning commence at the NW corner of said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section and run thence South along the West boundary of said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section a distance of 840 feet to a point; thence run East and perpendicular to the said West line of said forty a distance of 262.5 feet to a point; thence run North and parallel with the West line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section a distance of 840 feet to a point on the North boundary line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section; thence turn to the left and run West along the North boundary line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  Section to the point of beginning, excepting highway right of way.

It is the intention hereby to describe and convey that certain lot described in Deed Book 137 at page 545 in the Probate Records of Shelby County, Alabama.

The above described property was a part of a larger tract which was purchased by my brother, A. W. Cross, from L. H. Ellis and wife, Bertha Ellis on October 6, 1941, by Deed Recorded in Deed Book 110 at page 409 in the Probate Records of Shelby County, Alabama. Immediately after my brother, A. W. Cross, purchased the property as aforesaid he went into the actual, adverse, exclusive, notorious, continuous, and hostile possession of the same and constructed a dwelling on part of the property which he had so purchased. My said brother lived on a portion of the property which he had purchased and farmed the balance. In 1945 I rented the said property from my brother and began residing in the dwelling which he had constructed thereon. On October 1, 1949, my said brother and his wife, Mildred, conveyed the above described property to my father, C. C. Cross and his wife, and my mother, Maude E. Cross, by deed recorded in Deed Book 137 at page 545 in the Probate Records of Shelby County, Alabama. Immediately after the execution of the last mentioned deed my said mother and father moved onto the above described property and they resided thereon continually up to the date of their respective deaths. My mother, Maude E. Cross died on September 18, 1965, and she had resided in the dwelling located on the above described property continuously from October 1, 1949 up to the time of her death.

It has been called to my attention that the last mentioned deed to my said mother and father calls for property four acres long by one and one-fourth acres deep. I know of my own knowledge that the parties to said deed meant for said

property to be 840 feet long by 262.5 feet deep, using a distance of 210 by 210 feet as an acre.

My father, C. C. Cross, died in December of 1962 and my mother, Maude E. Cross, died, as aforesaid, on September 18, 1965. The sole surviving children and heirs of C. C. Cross and Maude E. Cross are; A. W. Cross, Paul E. Cross, and W. B. Cross. There has been no administration of my mother's estate, but I know of my own knowledge that there are no outstanding claims or obligations in said estate.

During the more than 20 years I have known the occupation, use and possession of the above described property, it has been in the continuous, exclusive, hostile, notorious, and adverse possession of C. C. Cross and wife, Maude E. Cross, and their predecessors in title. I have never heard the title of said C. C. Cross and wife, Maude E. Cross disputed or questioned in any way.

W. B. Cross  
Affiant

Sworn to and subscribed before me  
this 10 day of November, 1965.

Larrie Brasher  
Notary Public

