

2192

STATE OF ALABAMA
SHELBY COUNTY

Before me, L. E. Parker, a Notary Public in and for the State of Alabama at Large, personally appeared Alex Etress, who is known to me and after first being duly sworn, deposes and says as follows.

My name is Alex Etress. I am 71 years of age and reside in Shelby County, Alabama. I have been familiar with the land described hereinbelow and have known its possessors for more than 60 years. This land is best described as:

Part of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ of NW $\frac{1}{4}$), Section 34, Township 24 North, Range 15 East described as follows:

Begin at the Southeast Corner of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ of NW $\frac{1}{4}$) and run North along East line a distance of 200 feet; thence run West 117 feet; thence run North 460 feet; thence run East to the Southwest Corner of tract sold to Conrad and Nettie Young as described in Deed Book 202, Page 413; thence run North along the West line of Young tract a distance of 500 feet to the Northwest Corner of said tract; thence run East to East line of the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ of NW $\frac{1}{4}$); thence run North to the Northeast corner; thence run West to the Northwest Corner; thence run South to the Southwest Corner; thence run East along the South line of the Southeast Quarter of Northwest Quarter (SE $\frac{1}{4}$ of NW $\frac{1}{4}$) to the Southeast Corner and point of beginning. Situated in Shelby County, Alabama.

Except rights and interests of Alabama Power Company to all above described lands that lie below the 420 foot contour line established in Survey of Coosa River made 2nd August, 1903 by the Corps of Engineers.

I know that in about 1899 the above described land with other adjacent lands was in the possession of J. M. Carden (also known as Jim Carden) under the claim of title. This land was where J. M. Carden had lived with his family for some years prior to his moving to Arkansas in about 1900, where he died in early 1901. Before Mr. Carden left for Arkansas he rented the above land to my parents who moved our family onto the Carden homeplace and tended this land for a year or more. In late 1901, John F. Watson succeeded J. M. Carden as possessor of this land under the claim of title. We moved out of this house and onto lands nearby. John F. Watson moved into this house where they lived for several years. John F. Watson remarried and was planning to move to Texas in about 1904. The hereinabove land was then sold to W. H. Smith (also known as Harrison Smith) by John F. Watson. W. H. Smith moved into possession of this land and continued as owner and possessor until in about 1911 when he was succeeded as possessor and title claimant by L. White (also known as Larkin White) who moved into immediate possession of this land with his family. Later in that same year or early in 1912, L. White was succeeded as possessor of this land by three of his children who claimed ownership thereto, namely J. T. White, J. P. White and M. A. White who were succeeded in possession and ownership of this land in about 1915 by Josephine Jordan and F. B. Jordan. For a year or two during 1913 and 1914 the said J. T., M. A. and J. P. White rented the above land to Jess Benson for farming. Mr. Benson became ill and my father sub-rented this land from Mr. Benson and raised a crop on it in about 1913. Beginning in about 1915, Josephine Jordan and F. B. Jordan were in possession of the hereinabove described land as owners until their deaths. Your affiant moved onto this land in about 1917 as tenants of the Jordans and farmed this land for one year. Eason Benson was farming this land as a tenant of the Jordans in about 1923 when he died. F. B. Jordan and Josephine Jordan continued as possessors and title claimants of this land until their death. F. B. Jordan died in about 1938 leaving his interest in this and other lands to his wife Josephine Jordan who continued in possession and managed this land until her death in about 1947 at which time Cora Jordan Pounds moved into actual possession of this land by virtue of the Will of Josephine Jordan. I know that F. B. Jordan and Josephine Jordan had agreeded to divide their lands between their children before their deaths. Some of their children received their portions of land by deed, others received their lands as devisees. Cora Jordan Pounds was one of these children and received the hereinabove described land from her mother as devisee. Cora Jordan Pounds later divided a portion of this land into lots which she sold. Cora Jordan Pounds has continued as possessor and has claimed title and ownership to all of the land not sold as lots up until the present time.

I know that several people have lived on the above land as tenants of those people named herein in the chain of title. I cannot remember the specific time or names of these tenants during the past 60 years, but there were several such tenants.

Affidavit of Alex E. Stress

I know this land to have been the lands belonging to those certain persons named herein in the chain of title and I know that it is generally known and understood throughout this community that those certain persons and only those certain person have been in possession of the hereinabove described land under the claim of title during the past 60 years, except those holding as tenants and agents thereunder.

Cora Jordan Pound conveyed a portion of the hereinabove described land as lots to the following named persons by deeds which appear of record in the Probate Office, Shelby County, Alabama and are set out as follows:

W. F. Jordan	Lots described in Deed Book 231, Page 745 and Deed Book 231, Page 174
Grady Walker and Laura Jordan Walker	Lots described in Deed Book 232, Page 293
Audrey May	Lot described in Deed Book 231, Page 747
Sammie W. Wright and Evelyn Bell Wright	Lot described in Deed Book 232, Page 59
David B. Hudson and Pearl Mike Hudson	Lot described in Deed Book 190, Page 389

The above named persons have been in possession of their respective lots under the claim of title from the date appearing on their deeds up until the present time.

I know that the heretofore named lot owners and their predecessors in title have been in the actual, continuous and exclusive possession of the hereinabove described land for more than 60 years. Such possession has been visible, open, hostile and notorious. They have assessed this land for taxes and have paid the taxes due thereon.

I know that the heretofore named lot owners and their predecessors in title have constructed houses, cabins, cottages, barns, sheds and other out buildings on this land during the past 60 years. They have dug wells, built fences, cultivated crops of cotton and corn, planted gardens on portions of this land and they have rented this land, granted right-of-ways across this land. They have exercised every other act necessary to the peaceful use and enjoyment of this land as was consistent with the nature of this land.

I know of no person or persons claiming any right to any portion of the hereinabove described land or disputing the possession of this land by the heretofore named lot owners or their predecessors in title during the past 60 years under the claim of ownership.

I more specifically know that G. P. Wilson, J. N. Sims and John Patton, Jr., were never in possession of the hereinabove described land nor have then exercised any act or claim of right, title or interest in this land during the past 60 years.

Sworn to and subscribed before me
this 28th day of December, 1965

[Signature]
Notary Public - State at Large

Tract 140 W. F. Jordan
" 142 Grady Walker and Laura Jordan Walker
" 139 Audrey May
" 138 Sammie W. Wright and Evelyn Bell Wright
" 137 David B. Hudson and Pearly Mike Hudson
" 134 Mrs. W. C. Pound (Cora Jordan Pound) (In Part)

STATE OF ALA. SHELBY CO.
I CERTIFY THE INSTRUMENT
WAS FILED: 8/21
1/27/66
RECORDED IN TAX
& S. 1066
PD. 1066

[Signature]
JUDGE OF PROBATE