

2493

STATE OF ALABAMA
SHELBY COUNTY

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

My name is Minnie Benson. I am 75 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 65 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 interest 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 and other lands were in the possession of J. M. Carden, who claimed title thereto. In late 1900, J. M. Carden vacated his home on this land and moved to Arkansas. He returned in early 1901 and agreed to sell this land to John F. Watson. The purchase money was paid to J. M. Carden who executed a bond for title to John F. Watson who moved into immediate possession of the above land under the claim of ownership. Alex Stress was living on this land with his parents who were farming this land as tenants of J. M. Carden when he moved to Arkansas. J. M. Carden returned to Arkansas in early 1901, where his wife had remained during his trip back to Alabama. Before they could execute a deed to John F. Watson he was injured and subsequently died. My step father was John Bates who signed the said bond for title and later joined in the execution of the deed to John F. Watson. In about 1904 the said John F. Watson conveyed this land to W. H. Smith (also known as Harrison Smith) who moved into immediate possession of this land under the claim of title and continued in this position until in about 1911 when he was succeeded as possessor and title claimant of this land by Larkin White who moved onto this land under the claim of ownership. About a year later L. White (also known as Larkin White) relinquished his possession and claim of ownership to three of his children - namely J. P. White, J. T. White and M. A. White who continued in possession of this land as co-owners until they were succeeded as possessors by F. B. Jordan and Josephine Jordan in about 1915 who claimed ownership of this land until their deaths. F. B. Jordan (also known as Boney Jordan) died several years before Josephine Jordan's death in about 1947. Cora Jordan Pounds, a daughter of the said Jordans, continued in possession of the hereinabove described land and other lands claiming title thereto by virtue of the wills of her mother and father. She has continued as possessor and owner of this land, except for some lots which she sold, up until the present time.

I know that the hereinabove described land was used as a farm family homeplace from prior to 1900 up until a few years ago (a span of over 45 years). I know that Alex Stress lived on and farmed this land in about 1917. Jim (J. P.) White lived on and farmed this land for a year or two. Jess Benson was living on this land and farming for a year or two. Mason Benson also lived on this land as a tenant farmer. I know that this land was used as farm land and there was someone living on this land as owner or tenant from prior to 1900 until about 1947 or 1948 except for possibly a year or two.

Affidavit of Minnie Benson

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 persons have been in possession of the hereinabove described land under the claim of title during the past 65 years, except those holding as tenants and agents thereunder.

Cora Jordan Pounds conveyed a portion of the hereinabove described land as lots to the following named persons by deed 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 194
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 170, 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 deed 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 65 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 65 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 65 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 they exercised any act or claim of right, title or interest in this land during the past 65 years.

Minnie Benson

Sworn to and subscribed before me
this 29th 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 Pearl Mike Hudson
" 134 Mrs. W. C. Pounds (Cora Jordan Pounds) (In part)

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED IN THE
RECORDS
& S.
PD. 1/21/66

JUDGE OF PROBATE