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STATE OF ALABAMA,)

Shelby COUNTY.)

Before me, the undersigned authority in and for said County in said State, personally appeared Bertha K. Missildine, who, being by me first duly sworn, deposes and says:

In year 1951 I purchased a tract of land fronting on the Montevallo-Siluria Road and extending back east from such road a half mile or more to Spring Creek, which tract of land is described as follows:

All that part of the following described real estate which lies East of the Old Montevallo and Ashville Public Road, viz.:

A part of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 25 and a part of S $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 26, all in Township 21 South of Range 3 West, described as commencing at Southwest Corner of Southwest Quarter of Northeast Quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section 26 and run north along west line of said SW $\frac{1}{4}$ of NE $\frac{1}{4}$ a distance of 220 yards for point of beginning. Thence continue north along said west line of said SW $\frac{1}{4}$ of NE $\frac{1}{4}$ a distance of 7.88 chains; thence run easterly and parallel with the north line of said S $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 26 and north line of said SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 25, a distance of 50 chains to center of Spring Creek; thence run in a southerly direction along center of Spring Creek to its intersection with south line of said SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 25; thence run west along said south line of said SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and along south line of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26 a distance of 24.2 chains to Southwest corner of said SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 26; thence run north along west line of said SE $\frac{1}{4}$ of NE $\frac{1}{4}$ a distance of 10 chains; thence run west a distance of 20 chains to point of beginning on west line of said S $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 26; containing 60 acres more or less.

There was an old fence along the boundaries of said land when I purchased and it was there when I sold the land to William G. White and wife. There was not throughout my ownership any dispute about such boundaries. I was in actual, open, exclusive, continuous uninterrupted possession of said land from time I purchased same in year 1951 until I sold in year 1961. No one claimed or asserted any right, title or interest in said land adverse to

my ownership during all of said time, except for easement for electric line, easement for pipe line and mortgage held by Effie McAllister which I paid in full before I sold. I assessed said lands for taxes annually and paid the same throughout time of my ownership.

I am informed that an owner of said land in year 1900 reserved right to use water when he sold such land. No such right was exercised or at any time asserted throughout the period of my ownership of said tract of land. I have never heard of anyone claiming such right to use water as successor in interest of such owner or otherwise.

Bertha K. Missildine
Bertha K. Missildine

Subscribed and sworn to this

1st day of November, 1965.

Walter B. Jerns
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 8/12/66
1966
RECORDED & \$.....INTG. TAX
& \$.....D.....BEEN
PD. CH. T.
Walter B. Jerns
JUDGE OF PROBATE