

3276

STATE OF ALABAMA
SHELBY COUNTY

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

My name is Alonzo M. Schrader. I am 74 years of age and reside in Shelby County, Alabama in the vicinity of the land described hereinbelow. I have been familiar with this land and have known its possessors during the past 40 years. This land is best described as follows:

The Northwest Quarter of Southwest Quarter (NW $\frac{1}{4}$ of SW $\frac{1}{4}$), Section 26, Township 24 North, Range 15 East.

I know that in about 1920 all of the hereinabove described land was in the possession of Emma Bates under the claim of title. The state and county taxes on the above land for 1924 became due and delinquent and were subsequently bought by the State of Alabama in 1925 for these delinquent taxes. In about 1928, Paul O. Luck and R. Brewer bought the above land in a tax sale and moved into immediate possession of this land as title claimants and continued as such until in about 1951. R. Brewer and his wife Lena conveyed their undivided interest by deed and relinquished their possession of this land to the said Paul O. Luck who continued in possession of this land and thereafter claimed title to this land individually. In about 1960, the said Paul O. Luck died leaving Clarice White Luck, his widow as the sole devisee and beneficiary under the terms of his will. The said Clarice White Luck conveyed an undivided one half interest in this land to Ruth Luck Gorden later in 1960.

The said Clarice White Luck and Ruth Luck Gorden have continued in possession of all the hereinabove described land under the claim of joint ownership up until the present time.

I know that Clarice White Luck, Ruth Luck Gorden and their predecessors in title have been in the actual, continuous and exclusive possession of the hereinabove described land for more than 40 years. Their possession has been open, visible, hostile and notorious. They have assessed this land for taxes and have paid the taxes due thereon.

I know that during the past 45 years Clarice White Luck, Ruth Luck Gorden and their predecessors in title have used the hereinabove described land for the growing and harvesting of timber and they have cut and sold merchantable timber from this land on two or more occasions. They have used this land to secure mortgages and have granted easements across this land for public utilities. They have maintained markers and notices to the public on this land for more than the past 10 years warning against trespass, hunting and waste or damages to this land. I know that many years ago this land was used with adjoining lands as a farm family homeplace. A dwelling house with the necessary outbuildings were constructed on these lands, a well was dug, gardens, trees and flowers were planted on these lands. Road right-of-ways were granted and they have exercised every other act necessary to the peaceful use and enjoyment of this land as was consistent with the land.

I know of no person or persons claiming any right to this land or disputing the possession of this land by Clarice White Luck, Ruth Luck Gorden and their predecessors in title during the past 40 years under the claim of ownership.

I know it is generally known and understood within this vicinity that the hereinabove described land has been the property of the said Luck and Gorden families for more than 30 years and I more specifically know that Aubry Bates was never in possession of this land or any portion thereof nor did he ever exercise any claim or control over this land. I further know that John M. Bates, Emma Bates or their heirs at law and next of kin have not exercised any acts of possession or claim of

title to this land or any portion thereof for more than the past 40 years.

I more specifically know that T. W. Shrader, W. H. Shrader, their heirs at law and next of kin have not been in possession of the hereinabove described land during the past 40 years, nor have they claimed any right, title or interest in this land or any part thereof during this time.

Alonzo M. Shrader

Sworn to and subscribed before me
this 14th day of September, 1965.

[Signature]
Notary Public - State at Large

Tract No. 408
Clarice White Luck and Ruth Luck Gordon

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 2/15 1966
RECORDED & INDEXED TAX
& \$
PD. C. H. H. H. H. H.
Alonzo M. Shrader
JUDGE OF PROBATE