

3283

STATE OF ALABAMA
SHELBY COUNTY

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

My name is Viola Etress. I am 71 years of age and reside in Shelby County, Alabama. I have been familiar with the hereinbelow described land and have known its possessors for more than 50 years. This land is best described as:

All that part of of the North Half of the Northeast Quarter (N $\frac{1}{2}$ of NE $\frac{1}{4}$) lying North of the South run of Waxahatchee Creek, which includes an island in Waxahatchee Creek, Section 29, Township 24 North, Range 15 East, Shelby County, Alabama.

Excepting rights and interests of Alabama Power Company to all of above described lands lying below the 420 feet contour line established in survey of Coosa River made the 2nd day of August 1903 by the Corps of Engineers.

I know that in about 1913 the above described land was in the possession of William H. Shrader under the claim of title. The said William H. Shrader and his wife Lenora Shrader continued as possessors of this land until their deaths. William H. Shrader died on or about March 3, 1938. Lenora Shrader died on or about August 1, 1940, leaving Clara B. Shrader, in possession of and claiming title to the hereinabove land as sole devisee under the terms of the wills of the said William H. Shrader and Lenora Shrader. Clara B. Shrader continued in possession of the hereinabove described land as title claimant until her death on or about January 19, 1955, at which time her brothers and sisters as her sole surviving heirs at law and next of kin moved into immediate possession of this land under claim of title and have continued in this position up until the present time.

I know that the heirs of Clara B. Shrader and their predecessors in title have been in the actual, continuous and exclusive possession of the hereinabove described land for more than 50 years. Their 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 heirs of Clara B. Shrader and their predecessors in title have constructed a dwelling house, barn, smokehouse and other necessary outbuildings on this land during the past years. They have dug a well, planted gardens, trees, built fences and have kept livestock on this land. During the past 50 years they have planted and cultivated portions as this land in major crops of corn and wheat and have used this land with adjacent lands in maintaining a farm family homeplace. They have also 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 or disputing the possession of this land by the heirs of Clara B. Shrader or their predecessors in title during the past 50 years under the claim of title.

I know that no person or persons have been in possession of the hereinabove described land during the past 50 years, other than the persons heretofore named in the chain of title, their agents and tenants. I more specifically know that T. J. Ponder or the Birmingham Real Estate and Investment Company, have not exercised any authority, controls, claim of title or possession of this land during the past 50 years.

Sworn to and subscribed before me this 8th day of October, 1965.

Notary Public - State at Large

Tract No. 86
Clara B. Shrader Estate

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT WAS FILED ON 10/18/65
RECORDED 10/18/65
& \$... TAX
PD. CH. THIS INSTRUMENT

JUDGE OF PROBATE