

STATE OF NEW YORK
_____ COUNTY

2731

Before me, the undersigned authority, in and for said County and State, personally appeared Minnie Dell Stewart Wilson, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is Minnie Dell Stewart Wilson. I am 65 years of age and reside at 86 Madison Street, Buffalo 6, New York. My husband is Cleophas Wilson.

I formerly lived in Shelby County, Alabama, and I have been familiar with the ownership and possession of the following described property all of my life:

Begin at the Northwest corner of Section 6, Township 21 South, Range 2 East, and run thence East along the North line of said Section 210.0 feet to a point; thence turn an angle of 91 deg. 09 min. to the right and run a distance of 419.02 feet to a point; thence turn an angle of 88 deg. 35 min. to the right and run a distance of 210.0 feet to a point on the West line of said Section; and thence turn an angle of 94 deg. 24 min. to the right and run North along the West line of said Section a distance of 420.0 feet to the point of beginning.

Also, being at the Northeast corner of Section 1, Township 21 South, Range 1 East, and run thence West along North line of said Section a distance of 95.20 feet to a point on the East margin of right of way of Highway 4246A; thence turn an angle of 103 deg. 20 min. to the left and run South along the East margin of said Highway 380.0 feet, more or less, to the intersection of said East margin of said highway with the East line of said Section; thence run North along the East line of said Section a distance of 367.0 feet, more or less, to the point of beginning.

The property described above is bounded on the East and South by property of E. S. Robinson; on the North by property of Lummus Ward and Rudolph Swindall, and on the West by Highway 4246A.

Said property was formerly owned by E. L. M. Wallace, who was my grandfather. Said E. L. M. Wallace, who was also known as "Eugene" or "Gene" Wallace, and his wife, Nannie B. Wallace, who was my grandmother, have both been dead since 1944, or prior thereto. Both said E. L. M. Wallace and Nannie B. Wallace died intestate in Shelby County, Alabama, and both were residents of

Shelby County, Alabama, at the time of their respective deaths. Said E. L. M. Wallace and Nannie B. Wallace were neither ever married, except to each other.

Said E. L. M. Wallace and Nannie B. Wallace lived on the above described property and occupied the same as their homestead from the time that I can first remember when I was about five years old until their respective deaths. Said property was entirely under fence for all or most of this time, said fence still having been standing when said property was conveyed to Paul C. Robinson in 1961 and 1962.

Said E. L. M. Wallace and Nannie B. Wallace lived in a house all of this time on said property; said house was still standing in 1961. My Mother, Nuna Wallace Freeze continued to live in said house after my said grandfather and grandmother died until my said Mother died in 1960, and Robert Freeze, who was my Mother's surviving husband, continued to live in said house until said property was conveyed to Paul C. Robinson, as aforesaid.

I lived in said house during the years 1910 to 1927.

Said E. L. M. Wallace and Nannie B. Wallace and their successors in title had and maintained a garden on said property each and every year for at least 45 years prior to 1961.

During all the time which I have been familiar with the ownership and possession of said property, since I was about five years old and until the year 1961, I have never heard of anyone possessing said property, or any part thereof, or claiming any interest therein, other than said E. L. M. Wallace and his successors in title, said E. L. M. Wallace and his successors in title claiming to own said property entirely, and in fee simple. I know of my own personal knowledge that said E. L. M. Wallace and his successors in title, have been in the open, continuous, notorious, undisturbed, peaceable, exclusive, ~~hostile~~, actual adverse possession of all of said property since I was about five years old and until 1961.

The following are all of the children ever born of either said E. L. M. Wallace or Nannie S. Wallace: Justin Wallace (also known as "I. J. Wallace"), Nuna Wallace, Eason Wallace, John Wallace (also known as "John H. Wallace"), Odell Wallace, Odessa Wallace, and Waree Wallace.

Of the above named seven children, two were still living at the time when said property was conveyed to Paul C. Robinson, namely, Justin Wallace, an unmarried man, living in Philadelphia, Pennsylvania, and Waree Wallace Brooks, a widow, living in Buffalo, New York. Said Waree Wallace Brooks was a non-resident of this State of Alabama for many years prior to 1961.

Said Eason Wallace and Odell Wallace were each boys who died over forty years ago without ever having been married.

Said John Wallace and his wife, Elygia J. Wallace, were both dead, prior to 1960. Said John Wallace, had only one child, namely, John Wallace, Jr., who is an unmarried man, residing in the State of Tennessee; he was unmarried in 1961.

Said Odessa Wallace and her husband, Alfred Leamous, were both deceased prior to 1960. Said Odessa Wallace Leamous, who died about 1941, had only four children ever born of her, namely, Alfred Leamous, Jr., Dorothy Leamous Sterling, Tommie Erlene Leamous Karriem (formerly known as "Erlene Leamous McLeod" or "Erlene McCloud", who each resides in St. Paul, Minnesota, and Ralph H. Leamous.

Said Nuna Wallace was my mother and her first husband, Oscar Stewart, was my father. My said father died in 1942; my said mother thereafter married Robert Freeze, who presently resides in Wilsonville, Alabama. My said mother, Nuna Wallace Freeze, has been dead since May 23, 1960; she died intestate in Shelby County, Alabama. Other than myself, my mother had only one other child, namely, Wallace Freeze, an unmarried man, presently residing in Cook County, Illinois.

All of the above named surviving heirs at law and next of kin of said E. L. M. Wallace and Nannie B. Wallace, and of their said children, were over twenty-one years of age, prior to 1961.

X Minnie Dell Stewart Wilson
Minnie Dell Stewart Wilson

Sworn to and subscribed before me this
3 day of March, 1966.

X Bessie L Walker
Notary Public

my com. expires 3/30/68

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 3/15 1966
RECORDED & 5 TAX
& \$ 1.00
PD. ON 1/15
Conrad M. Venable
JUDGE OF PROBATE