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STATE OF ALABAMA    )  
                              )  
JEFFERSON COUNTY    )

Before we, the undersigned authority in and for said County in said State, personally appeared George L. Scott, Jr., who, being by me first duly sworn, deposes and says:

I am familiar with the ownership and possession of Lots 1 to 10, both inclusive, in survey of W. F. Strowd, a map of which is recorded in Map Book 3 on page 44 in office of Probate Judge of Shelby County, Alabama, being all that part of SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  Section 35, Township 20 South Range 3 West which lies east of right of way of Louisville and Nashville Railroad Southbound tracks. I have lived in the general vicinity of said parcel of land all my life and have been particularly familiar with same since it was purchased by my father from W. F. Strowd in the year 1929 as shown by deed recorded in Volume 88 page 165 of Record of Deeds in office of Probate Judge of Shelby County, Alabama.

My father, was in exclusive, actual, adverse possession of all of said parcel of land claiming to own the same and annually assessing it for taxes and paying the taxes thereon continuously from the time he purchased same in 1929 until he conveyed two-thirds ( $\frac{2}{3}$ ) undivided interest therein to me and my brother, Albert L. Scott, in year 1940 by deed recorded in Volume 109 page 143 of Record of Deeds in office of Probate Judge of Shelby County, Alabama. My father, together with me and my said brother were in exclusive, actual adverse possession of said land, claiming to own the same and

annually assessing it for taxes and paying the taxes thereon continuously from time of such conveyance to us by my father in year 1940 until we conveyed it to Alabaster Lime Company, Inc., a corporation, in year 1959 by deed recorded in Volume 200, page 21 of Record of Deeds in office of Probate Judge of Shelby County, Alabama.

The said Alabaster Lime Company, Inc., has been in exclusive, actual, adverse possession of all of said parcel of land, claiming to own the same and annually assessing and paying the taxes thereon continuously from the time it so acquired same in 1959 up to the present time.

During all the period of time since 1929, no one other than my father, myself, my brother and said Alabaster Lime Company, Inc., has had possession of any part of said parcel of land.

During all of said period of time since 1929 no one has asserted or claimed any right, title or interest adverse to title of my father and his aforesaid successors in interest in any part of the said SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 35 lying on either side of the Louisville and Nashville Railroad, except that one Samuel W. Catts did prior to November 1939 assert some interest in a strip of land twelve (12) feet in width on the east side of said SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  on the ground that he had excepted the east twelve (12) feet of said SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  from his conveyance to J. E. Walker, one of G. L. Scott's predecessors in title. This claim of Samuel W. Catts was disposed of by procuring from him a

quit claim deed to said twelve (12) feet, which deed is dated December 13, 1939, and recorded in Volume 107 on page 333 of Record of Deeds in office of Probate Judge of Shelby County, Alabama. Since that time no claim adverse to title of my father and his successors in interest has ever been asserted to any part of said SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  on either side of the aforesaid right of way of Louisville and Nashville Railroad.

The street designated as 1st Street on map of W. F. Strowd subdivision recorded in Map Book 3 page 44 which runs north from 1st Avenue, as shown on said map, along the east line of Lots 1 to 10, both inclusive, (designated as 2nd Street NW on present map of Town of Alabaster) has never been opened, recognized nor used as a street or public road except for a distance of approximately 350 feet to its junction with street (designated as 2nd Place NW on present map of Town of Alabaster) running east and west from west line of SE  $\frac{1}{4}$  of SE  $\frac{1}{4}$  along the north line of Church property and across L & N Railroad north bound track to the Montgomery Highway. The remainder of said 1st Street, that is to say, all that part thereof lying north of said 2nd Place NW has been in exclusive possession of above named owners of that part of said SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 35 throughout the period aforesaid and has not been used by nor served any other person whatsoever and is not susceptible to any such use coming, as it does, to a dead end at southbound track of Louisville and Nashville Railroad, immediately beyond which is the abandoned quarry



of Alabaster Lime Company, Inc. I have never heard of any one other than Alabaster Lime Company, Inc., and its predecessors in title ever claiming any right to use above described part of said 1st Street lying north of north line of road which crosses the Louisville and Nashville Railroad's northbound track and runs thence west giving access to office of Alabaster Lime Company, Inc., except to the extent that former claim of Samuel W. Catts, to an interest in a 12 foot strip may have embraced a part of said street, which said claim was heretofore terminated by purchase by my father in year 1939 as above stated.

I have also been familiar for more than forty (40) years with all the tracts of land purchased by me and by my brother, Albert L. Scott, from Mrs. Imogene S. Hantsche and from A. A. Lauderdale in years 1955 and 1956, being known as O'Neal Lime Works land, owned and operated by Charles L. O'Neal for many years prior to sale thereof by him about the year 1921.

Since the purchase by A. A. Lauderdale in about the year 1928 of the westerly portion of SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of Section 28 Township 21 South Range 2 West there has never, so far as I have heard been any dispute regarding the east line of land of said A. A. Lauderdale in said SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  nor of his east NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of such Section. line and north line in/such lines are now and have for many years been fenced and such fence has been located and said lines established by a survey made by Alton Young during

this year. My brother, Albert L. Scott, and myself purchased in the year 1955 all that part of said SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  of said Section 28 lying east of said east line of A. A. Lauderdale have land and/been in possession thereof as owners, assessing and paying taxes thereon annually. During all of said period no other person has been in possession of any part of said SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$  lying east of the Lauderdale land nor asserted any right, title, interest or claim thereto or therein.

I have also been familiar for more than forty (40) years with the O'Neal Lime Works land in SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 33 Township 21 South Range 2 West usually described as that part of said SW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  lying between right of way of L & N Railroad on west and R. J. Mabry property on east and also a relatively small triangle in south end of NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of said Section 33 lying west of said R. J. Mabry strip property and south of the 100 foot/to which reference is hereinafter made. These two parcels of land abutting the L & N Railroad right of way were the plant site of said O'Neal Lime Works and the dividing line between such plant site and so-called "R. J. Mabry property" has always been well defined and has been during the past few months established by a survey made by Alton Young as aforesaid.

I have also been familiar for more than forty (40) years with the 100 foot strip of land acquired by my brother and myself from A. A. Lauderdale and Imogene S. Hantsche in March 1966, extending easterly from L & N Railroad right of way in NW  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of section 33 aforesaid to westerly line

of U. S. Highway 31 in NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of said Section 33 and continuing from easterly line of said Highway across said NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  and NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  and to west line of our land in NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of said Section 33, the center line of which strip has also been this year established by survey aforesaid.

At the time I first knew the lands aforesaid Charles L. O'Neal had a tramway along the above described strip of land extending from his plant site on the L & N Railroad to his quarry in NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 33. He also had a road which is still in existence, running beside the tramway from his plant site to the highway now known as U. S. Highway No. 31. My brother and I have owned the aforesaid 100 foot strip for more than ten years and have annually assessed and paid the taxes thereon during said period. I have never heard of any one else, during said period of more than ten years claiming any right, title or interest in said strip adverse to our title, except as hereinafter stated, nor, until the recent survey being in possession of any part thereof. The recent survey does show an encroachment on the north half of said strip by existing fences along south line of adjoining owners on north side of said strip but there has been and is no recognition nor admission by me and my brother of any title in adjoining owners to any part of said strip to which we hold deeds and upon which we are paying taxes.

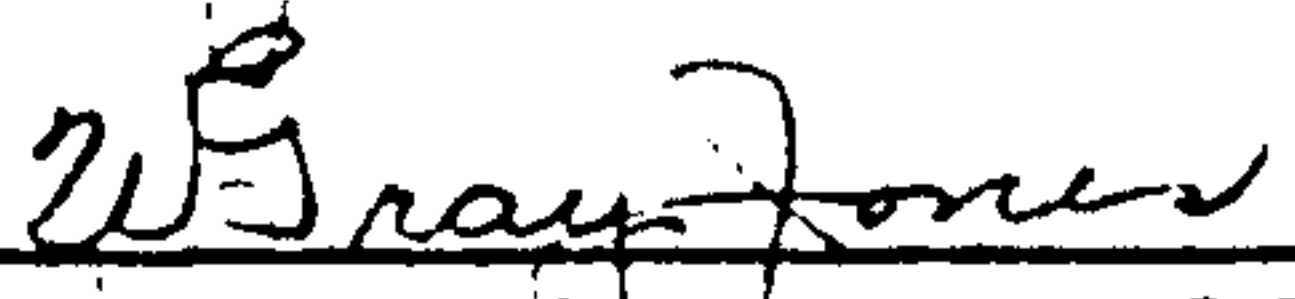
We acquired on March 22, 1956, from A. A. Lauderdale all that part of aforesaid strip which lies east of U. S. Highway No. 31 by deed recorded in Volume 179 on page 32 of Record

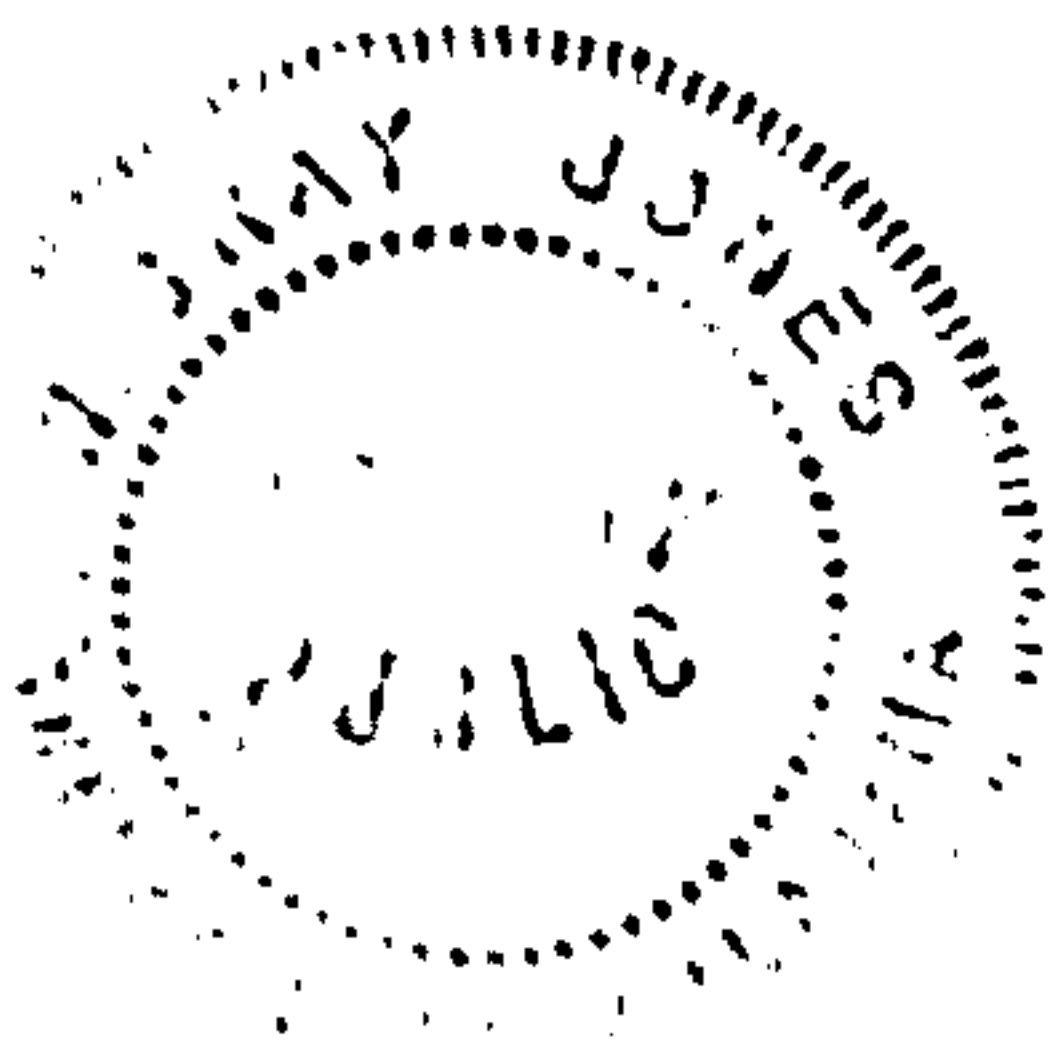


of Deeds in office of Probate Judge of Shelby County, Alabama, and he, as adjoining owner on north of said strip, has recognized our title thereto by execution to us as Lessors of lease dated November 23, 1960, and recorded in Volume 212 page 529 of records aforesaid.

  
George L. Scott, Jr.

Subscribed and sworn to  
before me this 1st day  
of June, 1966.

  
Notary Public



STATE OF ALA., SHELBY CO.,  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON 2/2/66

6-1 1966

RECORDED & \$ ✓ MTG. TAX

\$ ✓ DEED TAX HAS BEEN  
PD. ON THIS INSTRUMENT.

  
JUDGE OF PROBATE