

8802

STATE OF ALABAMA
SHELBY COUNTY

Before me, the undersigned authority, personally appeared Dessel Carden who, being first duly sworn on oath by me, deposes and says as follows:

My name is Dessel Carden. I am 49 years of age and reside in Shelby County, Alabama. I have been familiar with the possession, claim of ownership and use of the following described land for more than 30 years.

A part of the Southwest Quarter of Northeast Quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$) and part of Northwest Quarter of Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$), Section 12, Township 24 North, Range 15 East, described as follows: Begin at the Southeast corner of Southwest Quarter of Northeast Quarter and run along south line south 86 degrees 46 minutes west 750.4 feet; thence north 3 degrees 30 minutes west a distance of 128.4 feet to the northernmost corner of lot sold to A. B. Gray described in Deed Book 183 page 466; thence along north line of Gray lot south 46 degrees 20 minutes west 150 feet; thence south 3 degrees 30 minutes east along west line of Gray lot to its intersection with south line of Southwest Quarter of Northeast Quarter of said Section 12; thence westerly along south line of said quarter-quarter section to Southeast corner of lot belonging to Lonnie Wooten as described in Deed Book 222 on page 581; thence along south line of Lonnie Wooten lot south 46 degrees 20 minutes west a distance of 130.0 feet; thence south 3 degrees east to a point which would be 396 feet south of the north line of the Northwest Quarter of Southeast Quarter of Section 12; thence westerly and parallel with north line of Northwest Quarter of Southeast Quarter to the west line of the Northwest Quarter of Southeast Quarter of said Section 12; thence north along west line of Northwest Quarter of Southeast Quarter and the west line of Southwest Quarter of Northeast Quarter to the intersection of a 425 foot contour line established in survey of Coosa River made 2nd August 1903 by the Corps of Engineers; thence following the meanderings of said contour line in an easterly and northeasterly direction to its intersection with the east line of the Southwest Quarter of Northeast Quarter of Section 12; thence south along east line of said Southwest Quarter of Northeast Quarter of said Section 12 to the point of beginning; situated in Shelby County, Alabama.

I know that more than 30 years ago all of the above described land was in the possession of Eunice P. Matthews, one and the same person as Eunice O. Matthews. This was just a part of a larger tract of land owned by Eunice P. Matthews which portions were cultivated and general farming exercised thereon. After the death of K. N. Matthews his daughter, Mable Dougherty and Eunice B. Matthews took possession. The following portion of the above described land came through Eunice P. Matthews into the possession of Tom C. Stinson.

All that part of the Southwest Quarter of Northeast Quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$) of Section 12, Township 24 North, Range 15 East lying below that certain datum plane of 387.2 feet above mean sea level as established by the United States Coast and Geodetic Survey as adjusted in January, 1955 which is the same elevation as elevation 425 as fixed in a survey of the Coosa River made August 2, 1903 to December 19, 1903 under the direction of J. B. Cavanaugh, Corps of Engineers, U. S. A.

Also a parcel of land in the Southwest Quarter of Northeast Quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$) and in the Northwest Quarter of Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) of Section 12, Township 24 North, Range 15 East, more particularly described as follows:

Commencing at the Southeast Corner of the Southwest Quarter of Northeast Quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$) of said Section 12; thence West along the South line of said quarter-quarter section 750.4 feet; thence North 3 degrees 30 minutes West 328.4 feet; thence South 67 degrees 15 minutes West 54.4 feet; thence South 59 degrees 20 minutes West 58.1 feet; thence South 46 degrees 20 minutes West 224.5 feet to a point which will hereinafter be known as the point of beginning. Beginning at the point of beginning; thence South 3 degrees 30 minutes East to a public road; thence Westerly along said road to the West boundary of the Northwest Quarter of Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) of said Section 12; thence North along the West boundary of the Northwest Quarter of Southeast Quarter (NW $\frac{1}{4}$ of SE $\frac{1}{4}$) and the West boundary of the Southwest Quarter of Northeast Quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$) of said Section 12 to a point on the 387.2 foot contour; thence East along said 387.2 foot contour to the point of beginning, together with the right of ingress and egress thereto, Shelby County, Alabama.

Tom C. Stinson constructed a cottage on this portion of the land since he has been in possession and used it as a week-end recreational area. He has also rented or leased portions of this land to others since he has been in possession, and collected rent therefrom. Driveways have been constructed on this land.

The following portion of the first above described land came through Eunice P. Matthews, ^{Mable Dougherty} J. O. Haines and J. R. Varnon into the possession of Frank W. Harris. -

A parcel of land in the Southwest Quarter of the Northeast Quarter (SW¹ of NE¹) of Section 12, Township 24 North, Range 15 East, Shelby County, Alabama, more particularly described as follows:

Beginning at the Southeast corner of the Southwest Quarter of the Northeast Quarter (SW¹ of NE¹), Section 12, Township 24 North, Range 15 East, and run thence South 86 degrees 45 minutes West 750.4 feet; run thence North 3 degrees 30 minutes West 328.4 feet; thence North 47 degrees 30 minutes East 245.4 feet; thence North 15 degrees 30 minutes East 230.7 feet; thence North 29 degrees 45 minutes East 130.5 feet; thence North 25 degrees 45 minutes East 93.9 feet; thence South 64 degrees 45 minutes East 132.4 feet; thence North 60 degrees 45 minutes East 110.7 feet; thence North 77 degrees 45 minutes East 134.6 feet; thence South 3 degrees 30 minutes East 898.5 feet to the point of beginning; situated in Shelby County, Alabama, together with the right of ingress and egress thereto.

Also a right of way 20 feet wide following the roadbed as it existed January 17, 1950, which said roadbed connected the Woods Ferry Road and the A. V. Glasscock Fishing Camp, said right of way to be used for the purpose of ingress and egress to and from the property herein described and the Woods Ferry Road.

Frank W. Harris has constructed a nice dwelling on this land and has used it as a week-end recreational area. A boat house has been constructed and maintained on this land also and used to store boats. Driveways have been constructed and maintained on this land in the possession of Frank W. Harris. -

The following portion of the first above described lands came through ^{Mable Dougherty} Eunice P. Matthews into James C. Gorgan and from James C. Gorgan into B. G. Parker, Clyde Smith and Lonnie Wooten into Connie W. Wooten.

A parcel of land in the Southwest Quarter of Northeast Quarter (SW¹ of NE¹) and in the Northwest Quarter of Southeast Quarter (NW¹ of SE¹) of Section 12, Township 24 North, Range 15 East, Shelby County, Alabama, more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of Northeast Quarter (SW¹ of NE¹) of said Section 12; thence West along the South line of said quarter-quarter section 750.4 feet; thence North 3 degrees 30 minutes West 128.4 feet to the point of beginning of the parcel of land herein described.

Beginning at the point of beginning; thence North 3 degrees 30 minutes West 200 feet; thence South 67 degrees 15 minutes West 54.4 feet; thence South 59 degrees 20 minutes West 58.1 feet; thence South 46 degrees 20 minutes West 224.5 feet; thence South 3 degrees 30 minutes East 72.5 feet; thence North 46 degrees 20 minutes East 150 feet; thence South 3 degrees 30 minutes East 72.5 feet; thence South 46 degrees 20 minutes West 20 feet; thence South 3 degrees 30 minutes East 50 feet; thence North 46 degrees 20 minutes East 200 feet more or less to the point of beginning, together with the right of ingress and egress thereto.

A cottage has been constructed and maintained on the land in possession of Connie W. Wooten. Driveways have been constructed and maintained leading to cottage. This land has been used for several years as a week-end recreational area.

The following portion of the first above described land came through ^{Mable Dougherty} Eunice P. Matthews, James C. Gorgan and Connie W. Wooten, Lonnie Wooten, B. G. Parker into the possession of Clyde Smith.

A parcel of land in the Southwest Quarter of Northeast Quarter (SW¹ of NE¹) and in the Northwest Quarter of Southeast Quarter (NW¹ of SE¹) of Section 12, Township 24 North, Range 15 East, Shelby County, Alabama, more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of Northeast Quarter (SW¹ of NE¹) of said Section 12; thence West along the South line of said Quarter-quarter section 750.4 feet; thence North 3 degrees 30 minutes West 328.4 feet; thence South 67 degrees 15 minutes West 54.4 feet; thence South 59 degrees 20 minutes West 58.1 feet; thence South 46 degrees 20 minutes West 224.5 feet; thence South 3 degrees 30 minutes East 72.5 feet to the point of

beginning of the land herein conveyed; thence from the point of beginning thus established continue in a straight line along the last above described course 72.5 feet; thence North 46 degrees 20 minutes East 75 feet; thence North 3 degrees 30 minutes West 72.5 feet; thence South 46 degrees 20 minutes West 75 feet to the point of beginning.

Clyde Smith has not constructed any buildings on this land but has used this land as a week-end recreational area since he has been in possession.

The following portion of the first above described land came through ^{Kable Dougherty} Eunice P. Matthews, James C. Grogan, Connie W. Wooten, B. G. Parker and Clyde Smith into the possession of Lonnie Wooten.

A parcel of land in the Southwest Quarter of Northeast Quarter (SW¹ of NE¹) and in the Northwest Quarter of Southeast Quarter (NW¹ of SE¹) of Section 12, Township 24 North, Range 15 East, Shelby County, Alabama, more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of Northeast Quarter (SW¹ of NE¹) of said Section 12; thence West along the South line of said quarter-quarter section 750.4 feet; thence North 3 degrees 30 minutes West 328.4 feet; thence South 67 degrees 15 minutes West 54.4 feet; thence South 59 degrees 20 minutes West 58.1 feet; thence South 46 degrees 20 minutes West 224.5 feet; thence South 3 degrees 30 minutes East 145 feet to a point which will hereinafter be known as the point of beginning.

Beginning at the point of beginning; thence continue in a straight line along the line of the last above described course 50 feet; thence North 46 degrees 20 minutes East 130 feet; thence North 3 degrees 30 minutes West 50 feet; thence South 46 degrees 20 minutes West 130 feet to the point of beginning. The land herein described is a parallelogram measuring 50 feet by 130 feet.

Also a parcel of land in the Southwest Quarter of Northeast Quarter (SW¹ of NE¹) and in the Northwest Quarter of Southeast Quarter of Section 12, Township 24 North, Range 15 East, Shelby County, Alabama, more particularly described as follows:

Commencing at the Southeast corner of the Southwest Quarter of Northeast Quarter (SW¹ of NE¹) of said Section 12; thence West along the South line of said quarter-quarter section 750.4 feet; thence North 3 degrees 30 minutes West 328.4 feet; thence South 67 degrees 15 minutes West 54.4 feet; thence South 59 degrees 20 minutes West 58.1 feet; thence South 46 degrees 20 minutes West 224.5 feet; thence South 3 degrees 30 minutes East 145 feet; thence North 46 degrees 20 minutes East 75 feet to the point of beginning of the parcel of land herein described:

Beginning at the point of beginning; thence North 46 degrees 20 minutes East 75 feet; thence North 3 degrees 30 minutes West 72.5 feet; thence South 46 degrees 20 minutes West 75 feet; thence South 3 degrees 30 minutes East 72.5 feet to the point of beginning.

Lonnie Wooten has constructed and maintained a cottage on this land and used it as a week-end recreational area. He has constructed and maintained a driveway leading to the cottage. All other usual and normal acts of possession have been exercised by those mentioned above consistent with the nature of the several parcels of land.

I know that Frank W. Harris, Tom C. Stinson, Connie W. Wooten, Clyde Smith, Lonnie Wooten and their predecessors in title have been in possession of the above respective tracts or parcels of land described under their names for more than 30 years and their possession has been open, actual, continuous, exclusive, notorious and hostile under claim of ownership for more than 30 years. They have assessed this land for taxes and paid the taxes for this period of time.

I know of no person or persons claiming any right to or disputing the possession of the above described tracts or parcels of land in the possession of Frank W. Harris, Tom C. Stinson, Connie W. Wooten, Clyde Smith, Lonnie Wooten or their predecessors in title for a period of more than 30 years.

I know more particularly that S. C. Merrell nor Lenora F. Rawson have not been in possession of nor claimed ownership of this land in the past 30 years.

Dissel Caroleen

Sworn to and subscribed before me
this 6th day of September, 1966.

Donald C. Formby
Notary Public - State at Large

Tract No. 448 - Frank W. Harris
449 - T. C. Stinson
451 - Connie W. Wooten
453 - Lonnie Wooten
452 - Clyde Smith

STATE OF ALA., SHELBY CO.,
I CERTIFY THIS INSTRUMENT
WAS FILED ON 8th 1966

9-22 1966
RECORDED & \$ MTG. TAX

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

Conrad H. Fowler
JUDGE OF PROBATE