

447

STATE OF ALABAMA

SHELBY COUNTY

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

My name is C. H. Nash. I am 80 years of age and reside in Shelby County, Alabama. I have been familiar with the land described hereinbelow and have known its possessors during the past 30 years.

The East Half of Northwest Quarter ($E\frac{1}{2}$ of $NW\frac{1}{4}$), Section 23, Township 21 South Range 1 East.

The West Half of Northeast Quarter ($W\frac{1}{2}$ of $NE\frac{1}{4}$) and all that part of the Southeast Quarter of Northeast Quarter ($SE\frac{1}{4}$ of $NE\frac{1}{4}$) of Section 23, Township 21 South, Range 1 East, that lies Southwest of Weaver Spring Branch and Bullies Creek.

Also a part of the Northeast Quarter of Southeast Quarter ($NE\frac{1}{4}$ of $SE\frac{1}{4}$) of Section 23 and a part of the Southwest Quarter of Northwest Quarter ($SW\frac{1}{4}$ of $NW\frac{1}{4}$) and of Northwest Quarter of Southwest Quarter ($NW\frac{1}{4}$ of $SW\frac{1}{4}$) of Section 24, Township 21 South, Range 1 East, described as follows: Begin at the Northeast corner of Northeast Quarter of Southeast Quarter of Section 23 and run West along North line 100 yards; thence run south 220 yards; thence run East to Coosa River; thence in a Northeasterly direction along Coosa River to its intersection with Bullies Creek; thence in a westerly and southwesterly direction along said Creek to its intersection with the east line of Section 23; thence south to point of beginning.

Excepting the flood or water rights owned by Alabama Power Company.

I know that in about 1934 all of the land described above was in the possession of T. A. McLeod and G. B. McLeod, each claiming title to an undivided one-half interest. In about 1935, the said G. B. McLeod died leaving Lizzie McLeod, his widow, and Maggie P. McLeod, his daughter, in joint possession of this land with the said T. A. McLeod. Until in about 1943, Lizzie McLeod and Maggie P. McLeod (who had married W. W. Manigault) conveyed their interest in a portion of the above land to the said T. A. McLeod. In about 1945, the said Lizzie McLeod and Maggie Manigault conveyed their remaining interest in this land to Mildred McLeod (who was a daughter of the said T. A. McLeod and who later married Nathaniel Mahlatjie). In about 1950, after the death of the said T. A. McLeod, the said Mildred McLeod Mahlatjie joined with the other heirs of the said T. A. McLeod in conveying all of the hereinabove described land by deed and relinquishing their possession to C. T. Walters, who thereafter has remained in possession of this land under the claim of title up until the present time, except for three small parcels of land which he has sold to the following persons:

Tract No. 481 - Owned by the First Baptist Church of Birmingham. This parcel of land was a portion of the hereinabove described land and was in the possession of C. T. Walters from about 1950 to 1958 when he deeded this parcel of land to Dr. Byrn Williamson, who subsequently deeded this parcel of land and relinquished his possession to the First Baptist Church of Birmingham, Alabama in about 1960. This portion of land is described in Deed Book 194 at page 371 and Deed Book 210 at page 483.

Tract No. 486 - Owned by Ray L. Bentley. This parcel of land was in the possession of C. T. Walters under the claim of title until he deeded this parcel of land to Ray L. Bentley in about 1960. The said Ray L. Bentley has continued as possessor and title claimant up until the present time. This portion of land is described in Deed Book 238 at page 300.

Tract No. 484 - Owned by James L. Ray, Jr. This parcel of land was a portion of lands belonging to C. T. Walters, which he conveyed by deed to James L. Ray, Jr. in about 1965. This portion of land is described in Deed Book 236 at page 726.

Tract No. 483 - Owned by C. T. Walters. This land is the hereinabove described land excepting the three parcels of land as referred to hereinabove.

All of the recording data recited hereinabove are recorded in the Office of the Judge of Probate, Shelby County, Alabama.

5

I know that the hereinabove described land has been in the actual, continuous and exclusive possession of those shown above as owners and their predecessors in title for more than thirty years and 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 above named owners and their predecessors in title have constructed cottages, barns and other outbuildings on portions of the land. They have dug wells, planted portions of this land in crops of cotton, corn and hay. They have cut timber from portions of this land for their own use and for market. They have used their respective parcels of land as security for mortgages and have exercised every other act necessary to the peaceful use and enjoyment of this land as was consistent with the nature of the land.

I know of no person or persons claiming any right to this land or disputing the possession of this land by the heretofore named owners and their predecessors in title during the past 30 years. I more specifically know that none of the heirs of J. P. McLeod, G. B. McLeod or T. A. McLeod have been in possession of this land or any portion thereof nor have they exercised any claim of ownership over this land since about 1950 when the said C. T. Walters moved into possession of this land under the claim of title.

I know that the deed by which the said C. T. Walters claims title to his respective parcel of the hereinabove described land was recorded on December 6, 1950 in Deed Book 143 at page 221 in the Probate Office, Shelby County, Alabama.

C. T. Walters

Sworn to and subscribed before me
this 20th day of October, 1966.

[Signature]
Notary Public - State at Large

Tract No. 483 - C. T. Walters
Tract No. 484 - James L. Ray, Jr.
Tract No. 486 Ray L. Bentley
Tract No. 481 - First Baptist Church of Birmingham

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

10-18 1966

RECORDED & \$ ✓ MTG. TAX

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

Conrad M. Fowler
JUDGE OF PROBATE