

1173

STATE OF ALA., SHELBY CO.,
I CERTIFY THIS INSTRUMENT
WAS FILED ON 11-24-66

Tract No. 96-1
T. O. Cox Estate

STATE OF ALABAMA
SHELBY COUNTY

RECORDED & \$ MTG. TAX

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

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

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 40 years. This land is best described as:

PARCEL NO. 1 - That part of the Southeast Quarter of Southwest Quarter (SE $\frac{1}{4}$ of SW $\frac{1}{4}$) and Southwest Quarter of Southeast Quarter (SW $\frac{1}{4}$ of SE $\frac{1}{4}$) lying South and West of Waxahatchee Creek, Section 20, Township 24 North, Range 15 East.

North Half of Northeast Quarter (N $\frac{1}{2}$ of NE $\frac{1}{4}$) lying South of Waxahatchee Creek, Section 29, Township 24 North, Range 15 East.

That part of the Northwest Quarter of Northwest Quarter (NW $\frac{1}{4}$ of NW $\frac{1}{4}$) lying South and West of Waxahatchee Creek. The Northwest Diagonal One Half of Southwest Quarter of Northwest Quarter (NW Diag. $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$). The Southeast Diagonal One Half of the Southwest Quarter of Northwest Quarter (SE Diag. $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$) lying South and West of Waxahatchee Creek, all in Section 28, Township 24 North, Range 15 East.

South Half of Northeast Quarter (S $\frac{1}{2}$ of NE $\frac{1}{4}$). The Northwest Diagonal one half of Northeast Quarter of Southeast Quarter (NW diag. $\frac{1}{2}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$), all in Section 29, Township 24 North, Range 15 East.

PARCEL NO. 2 - Southwest Quarter of Northwest Quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$), Section 24, Township 24 North, Range 14 East.

Excepting rights and interests owned by Alabama Power Company to all of the above lands lying below the 120 foot 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 1920, the hereinabove described land was in the possession of the Birmingham Real Estate and Investment Company under the claim of title. In about 1939, the Birmingham Real Estate and Investment Company conveyed this land by deed and relinquished their possession to T. O. Cox, who continued as possessor and title claimant until his death in about 1965, at which time the heirs of T. O. Cox moved into possession of this land under the claim of title and have continued up until the present time.

I know that the heirs of T. O. Cox and their predecessors in title have been in the actual, continuous and exclusive possession of all 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 T. O. Cox and their predecessors in title during the past 50 years have planted and harvested major crops of cotton and corn on portions of the hereinabove described land. They have harvested and sold timber from this land on occasions and have exercised every other act necessary to the peaceful use and enjoyment of this land as was consistent with the land.

During the past 50 years I have known of no person or persons claiming any right to this land or disputing the possession of this land by the heirs of T. O. Cox and their predecessors in title under the claim of ownership.

I know that T. J. Ponder, Charles J. Christian, Julia Pace Boczer, A. M. Williamson, S. I. Williamson, their heirs or the Birmingham Real Estate Company have not been in possession of any portion of the hereinabove described land nor have they exercised any claim of right, title or interest in any portion of the hereinabove described land during the past 25 years.

Richard E. Talbot

Sworn to and subscribed before me
this 7th day of November, 1966.

L. E. Parker
Notary Public - State at Large

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