

STATE OF ALABAMA)

SHELBY COUNTY)

Before me, the undersigned authority, a Notary Public in and for said County and State, personally appeared WINFRED O. SMITH, who, after being by me first duly sworn to speak the truth, deposes and says as follows:

My name is Winfred O. Smith and I am the Grantee in that certain deed dated May 23, 1962, and recorded in Deed Book 221, page 165, in the Probate Records of Shelby County, Alabama. On July 26, 1963, by deeds recorded in Deed Book 226, page 284, and Book 226, page 283, all in the Probate Records of Shelby County, Alabama, I conveyed an undivided one-third interest in the hereinafter described property to Earline Riddle and husband, Jack Riddle and J. R. Smith, and wife, Charlexa Smith, respectively. I have known the occupation, use and possession of the said hereinafter described land for a period in excess of _____ years, to-wit:

Begin at the point in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12, Township 21 South, Range 3 West, where the South line of L & N RR right of way intersects the West line of the right of way of the old Elliottsville-Saginaw Public Road and run South along said right of way of old road 210 feet; thence run West parallel with the Railroad a distance of 105 feet; thence South parallel with the old Public road 210 feet; thence run East parallel with the Railroad a distance of 105 feet to the West right of way line of the old Elliottsville-Saginaw Public Road; thence Southwesterly along said line of said old road to the Northeast corner of the H. Cassells tract; thence run West along the North line of Cassells tract to the East right of way line of the new U. S. Highway known as Project No. 1-202-2 (7); thence run Northwesterly along said Highway right of way following the meanderings thereof to the North line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 12; thence East along the North line of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ to its intersection with the South line of the L & N Railroad right of way; thence in an Easterly direction along said right of way to the point of beginning, being a part of the S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 12, Township 21 South, Range 3 West, excepting Highway right of way of Elliottsville-Saginaw Highway.

For more than 20 years the above described land has been in the actual, open, exclusive, notorious, hostile, continuous and adverse possession of affiant, Earline Riddle, Jack Riddle, J. R. Smith and Charlexa Smith and our predecessors in title. I have never heard our title questioned or disputed in any way and no other person, firm, or corporation, has been in possession of the above said land other than the aforesaid present owners. It has been called to my attention that Claude Massey and wife, Bertha Massey executed a transmission line permit in favor of Alabama Power Company recorded in Deed Book 243, page 396, in the Probate Records of Shelby County, Alabama, which said permit described a portion of the above described property. This was a mistake and they actually claim none of the above described property and are not in possession of the same or any part thereof. This is also true of H. L. Meadows and wife, Roberta F. Meadows who executed a transmission line permit in favor of Alabama Power Company recorded in Deed Book 242, page 930, in the Probate Records of Shelby

7
BOOK 243 PAGE

County, Alabama. Neither H. L. Meadows nor wife Roberta F. Meadows have been in possession of any of the above described property for more than 20 years.

I have inquired in and about the community with various relatives of Elijah L. Fulton and know that the above described property is not a part of his "home place" described in his will described in Will Book 3, page 312, in the Probate Records of Shelby County, Alabama.

Wentford O. Smith
Affiant

Sworn to and subscribed before me this

8 day of December, 1966.

Frank Ellis
Notary Public

STATE OF ALA., SHELBY CO.,
I CERTIFY THIS INSTRUMENT
WAS FILED ON 12/8 1966

RECORDED & \$ ✓ MTG. TAX

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

Conrad M. Fowler
JUDGE OF PROBATE