

SHELBY COUNTY

Before me, a Notary Public in and for said County and State, personally appeared Macauley Martin, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is Macauley Martin. I am eighty-one years old and I have never been married. My residence address is Route 1, Vincent, Shelby County, Alabama.

J. H. Martin, who was my father, died intestate while a resident of Shelby County, Alabama, on January 19, 1916. My mother, Mary C. Martin, was the surviving widow of said J. H. Martin, and she died in 1931. My said father and mother were never married except to each other, and they had only eight children ever born of their marriage, namely, myself (Macauley Martin), Eva Martin Lowe, Alice Martin, Daisy Martin, Sally Martin, Laura Martin, Nancy Martin, and J. B. Martin. Of said eight children, only myself and Eva Martin Lowe are still living. Sally Martin's married name was Sally Martin Hardwick.

My father's original home place consisted of some several hundred acres--more than five hundred acres--situated in Shelby County and St. Clair County, Alabama. My said father got title to said property before the Civil War; he was a Civil War veteran, and at the time he went off to War he sold said property, and later when he came back after the War was over, he retained title to said property.

I still live on a part of the original J. H. Martin farm in a house that is over one hundred years old. I have lived there all of my life except six years; the house in which I live is situated on a portion of the original farm in Shelby County, Alabama, and was my said father's home during his life.

I have been familiar with the ownership and possession of the following described property all of my life, and as long as I can remember, more than seventy years:

The NorthWest quarter of South East Quarter of Section

13, Township 18 South, Range 2 East, Shelby County, Alabama.

My father's said farm was divided among his children, either just before or just after his death, with various children getting various portions of the place. It is my recollection that all or most of said property was divided to

said children before the death of my father. In any event, all of the children have always been satisfied with the division of said property and with the various portions that said individual children received. There has never been any dispute among my brothers and sisters, or among their children, concerning the division of said property.

The North Half of the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2 East, and which was a part of the original J. H. Martin farm property, was conveyed to John B. Martin, who was the only son of my said father. It is my recollection that said property was conveyed to said John B. Martin prior to my father's death, and said John B. Martin subsequently conveyed said property to W. A. Richey about 1919. After the death of said W. A. Richey, his children conveyed said property to the widow of said W. A. Richey, namely, M. D. Richey, and Mrs. Richey subsequently sold and conveyed said property to Seabe Posey and Dal Posey in 1943. Said Seabe Posey built a house on said property within two or three months after he bought the same in 1943. He also built a barn on said property and used said property for pasture and gardening purposes from 1943 until he sold and conveyed the said property to Donald E. Richey and wife, Sally Richey, in 1949. Said Donald and Sally Richey subsequently conveyed said property to James Quinton Richey (who is the brother of said Donald Richey), and wife, Shelby Jean Richey in 1960. Said Seabe Posey and wife occupied said property as their homestead until they conveyed the same to Donald Richey (whose full name is Donald E. Richey) and wife, Sally Richey, as stated above.

The South Half of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2 East was also a part of my father's original farm, and my sister, Sally Hardwick, acquired title to said property as ^{a part of} her part of my father's estate either just before or just after my said father's death in 1916. Sally Hardwick received title to a total of approximately 110 acres situated partly in Shelby County and partly in St. Clair County. It has always been the understanding among the children and heirs of my said father, J. H. Martin, that said J. H. Martin conveyed said property directly to Sally Hardwick, although said property may have been conveyed to the children of said J. H. Martin, or to some of said children, who subsequently conveyed to said Sally Hardwick. In any event, there has never been any question whatsoever in our

family concerning the title to this property, as we have always known that said property belonged to Sally Hardwick after my said father's death. There was a house situated on the approximate one hundred ten acres of my said father's estate which went to Sally Hardwick when said Sally Hardwick acquired her title to said property, more than fifty years ago. Sally Hardwick and her family lived there in said house for awhile, and all three of her children were born there, namely, Lucie Kate Hardwick Scott, Mary Hardwick Braden, and Timmie H. Hardwick, who were all of the children ever born of said Sally Hardwick. Said Sally Hardwick and family moved away from said property about 1916 to another place in St. Clair County, and she rented said house and property from year to year to various people over the years. The original house which was on said property was torn down and was re-built some years ago. My said sister, Sally Hardwick, died in 1952, and the above designated property, i.e., the South Half of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2 East was then sold and conveyed by her children to Donald Richey and Sally Richey in 1952. Said Sally Hardwick was a widow at the time of her death, her husband having pre-deceased her.

As stated above, Donald E. Richey and wife, Sally Richey, acquired title to the North Half of the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2 East in 1949, and in 1952, they acquired title to the adjoining South Half of said NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2 East, and they have occupied both of said parcels subsequently as their homestead continuously, living and residing in the house on said property, until they sold and conveyed the same to James Quinton Richey and wife, Sheldis Jean Richey, as stated above, in 1960.

The South West Quarter of North East Quarter of Section 13, Township 18 South, Range 2 East was not a part of my father's original farm, W. A. Richey, who was the grandfather of Donald E. Richey and James Quinton Richey, was the owner of said property more than fifty years ago, and about twenty or twenty-five years ago, Olen Richey, who was a son of said W. A. Richey and who is the father of Donald E. Richey and James Quinton Richey, acquired title to said quarter-quarter section from the heirs of said W. A. Richey. Said Olen Richey subsequently conveyed the following described property:

Begin at the Southeast corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2 East and run thence North along the East boundary of said quarter-quarter section 483.2 feet to the center of the Macedonia Church Road; thence run Southwesterly along the center line of said Macedonia Church Road 1362 feet to the South line of said quarter-quarter section; thence run East along the South line of said quarter-quarter section to the point of beginning, containing seven acres, more or less.

to said Donald E. Richey and wife, Sally Richey in 1958. Said seven acre parcel lies adjacent to the public road and also joins the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2 East, which had been acquired by said Donald^{E.}/Richey and Sally Richey, as stated above. Said seven acre parcel has been cultivated in spots and was also occupied by said Donald E. Richey and wife, Sally Richey until they conveyed the same to said James Quinton Richey and wife, Shelbia Jean Richey in 1960, as stated above, together with the NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 13, Township 18 South, Range 2 East.

Said James Quinton Richey and wife, Shelbia Jean Richey, have occupied said seven acre parcel, together with the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2 East, as their homestead, continuously residing on said property since 1960 and until the present date.

I know of my own personal knowledge that said James Quinton Richey and wife, Shelbia Jean Richey, and their predecessors in title as designated above, have been in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of all of said property, being described as follows:

The NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2 East, Shelby County, Alabama.

Begin at the Southeast corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2 East and run thence North along the East boundary of said quarter-quarter section 483.2 feet to the center of the Macedonia Church Road; thence run Southwesterly along the center line of said Macedonia Church Road 1362 feet to the South line of said quarter-quarter section; thence run East along the South line of said quarter-quarter section to the point of beginning, according to survey of Dowell M. Ray, Registered Land Surveyor, dated November 8, 1966,

for more than fifty years and until the present date. During all of this time, I have lived in the immediate vicinity of said property, and I have never heard of anyone questioning the title or ownership of said James Quinton Richey and Shelbia Jean Richey, and their predecessors in title, as designated above.

As stated above, my correct name is Macauley Martin, but name has also in the past been designated and spelled as "McColley Martin" and also as "McCauley Martin".

Macauley Martin
Macauley Martin

Sworn to and subscribed before me

this 3 day of January, 1967.

C. B. Thomas J. P.
Notary Public

Notary Public, Alabama State at Large
My Commission Expires Jan. 20, 1969.

STATE OF ALABAMA

SHELBY COUNTY

Before me, a Notary Public in and for said County and State, personally appeared Eva Lowe, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is Eva Lowe. I am eighty three years of age and reside at Route 1, Vincent, Shelby County, Alabama. I am the wife of J. M. Lowe. I am the sister of Macauley Martin and of Sally Hardwick, now deceased, and of John B. Martin, now deceased.

I have ^{carefully} read the above affidavit of Macauley Martin, and I know of my own personal knowledge that the facts therein stated are true and correct.

I know of my own personal knowledge that James Quinton Richey and wife, Shelbia Jean Richey, and their predecessors in title as designated above, have been in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of all of said property, being described as follows:

The NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2 East, Shelby County, Alabama.

Begin at the Southeast corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2 East, and run thence North along the East boundary of said quarter-quarter section 483.2 feet to the center of the Macedonia Church Road; thence run Southwesterly along the center line of said Macedonia Church Road 1362 feet to the South line of said quarter-quarter section; thence run East along the South line of said quarter-quarter section to the point of beginning, according to survey of Dowell M. Ray, Registered Land Surveyor, dated November 8, 1966,

for more than fifty years and until the present date. During all of this time, I have lived in the immediate vicinity of said property, and I have

never heard of anyone questioning the title or ownership of said James Quinton Richey and Shelbia Jean Richey, and their predecessors in title, as designated above.

Eva Lowe

Eva Lowe

Sworn to and subscribed before me

this 13 day of January, 1967.

C. S. Thomas, Jr.

Notary Public

Notary Public, Alabama State at Large
My Commission Expires Jan. 20, 1969

STATE OF ALABAMA

SHELBY COUNTY

Before me, a Notary Public in and for said County and State, personally appeared R. L. Martin, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is R. L. Martin. I am sixty-one years of age and reside at Route 1, Vincent, Alabama. I am the son of John B. Martin and the grandson of J. H. Martin. I know of my own personal knowledge that James Quinton Richey and wife, Shelbia Jean Richey, and their predecessors in title as designated above, have been in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of the following property, being described as follows:

The NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2 East, Shelby County, Alabama.

Begin at the Southeast corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2 East, and run thence North along the East boundary of said quarter-quarter section 483.2 feet to the center of the Macedonia Church Road; thence run Southwesterly along the center line of said Macedonia Church Road 1362 feet to the South line of said quarter-quarter section; thence run East along the South line of said quarter-quarter section to the point of beginning, according to survey of Dowell M. Ray, Registered Land Surveyor, dated November 8, 1966,

for more than fifty years and until the present date. During all of this time, I have lived in the immediate vicinity of said property, and I have never heard of anyone questioning the title or ownership of said James Quinton Richey and Shelbia Jean Richey, and their predecessors in title, as designated above.

I have lived in the close vicinity of said property all of my life.
I have carefully read the above affidavit of Macauley Martin, my aunt, and
I know of my own personal knowledge that the facts therein stated are true
and correct as they pertain to said property as far back as I can remember
and for more than fifty years.

R L Martin
R. L. Martin

Sworn to and subscribed before me
this 13 day of January, 1967.

C L Thomas, Jr.
Notary Public

Notary Public, Alabama, State at Large
My Commission Expires Jan. 20, 1969.

STATE OF ALABAMA

SHELBY COUNTY

Before me, a Notary Public in and for said County and State, personally
appeared Jimmie Hardwick, who is known to me, and who being by me first duly
sworn, deposes and says as follows:

My name is Jimmie Hardwick. I am 52 years of age and reside at Pell
City, St. Clair County, Alabama. I am the son of Sally Hardwick, now deceased.

I have carefully read the above affidavit of Macauley Martin, and I know
of my own personal knowledge that the facts therein stated are true and correct,
as they pertain to the property therein described as far back as I can remember.

I also know of my own personal knowledge that James Quinton Richey and
wife, Shelbia Jean Richey, and their predecessors in title have been in the
open, continuous, notorious, undisturbed, peaceable, exclusive, hostile,
actual adverse possession of all of said property, being described as follows:

The NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13, Township 18 South,
Range 2 East, Shelby County, Alabama.

Begin at the Southeast corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of
Section 13, Township 18 South, Range 2 East, and run
thence North along the East boundary of said quarter-
quarter section 483.2 feet to the center of the Mace-
donia Church Road; thence run Southwesterly along the
center line of said Macedonia Church Road 1362 feet
to the South line of said quarter-quarter section;
thence run East along the South line of said quarter-
quarter section to the point of beginning, according
to survey of Dowell M. Ray, Registered Land Surveyor,
dated November 8, 1966,

for the past 52 years during which I have been familiar with the ownership and possession of said property.

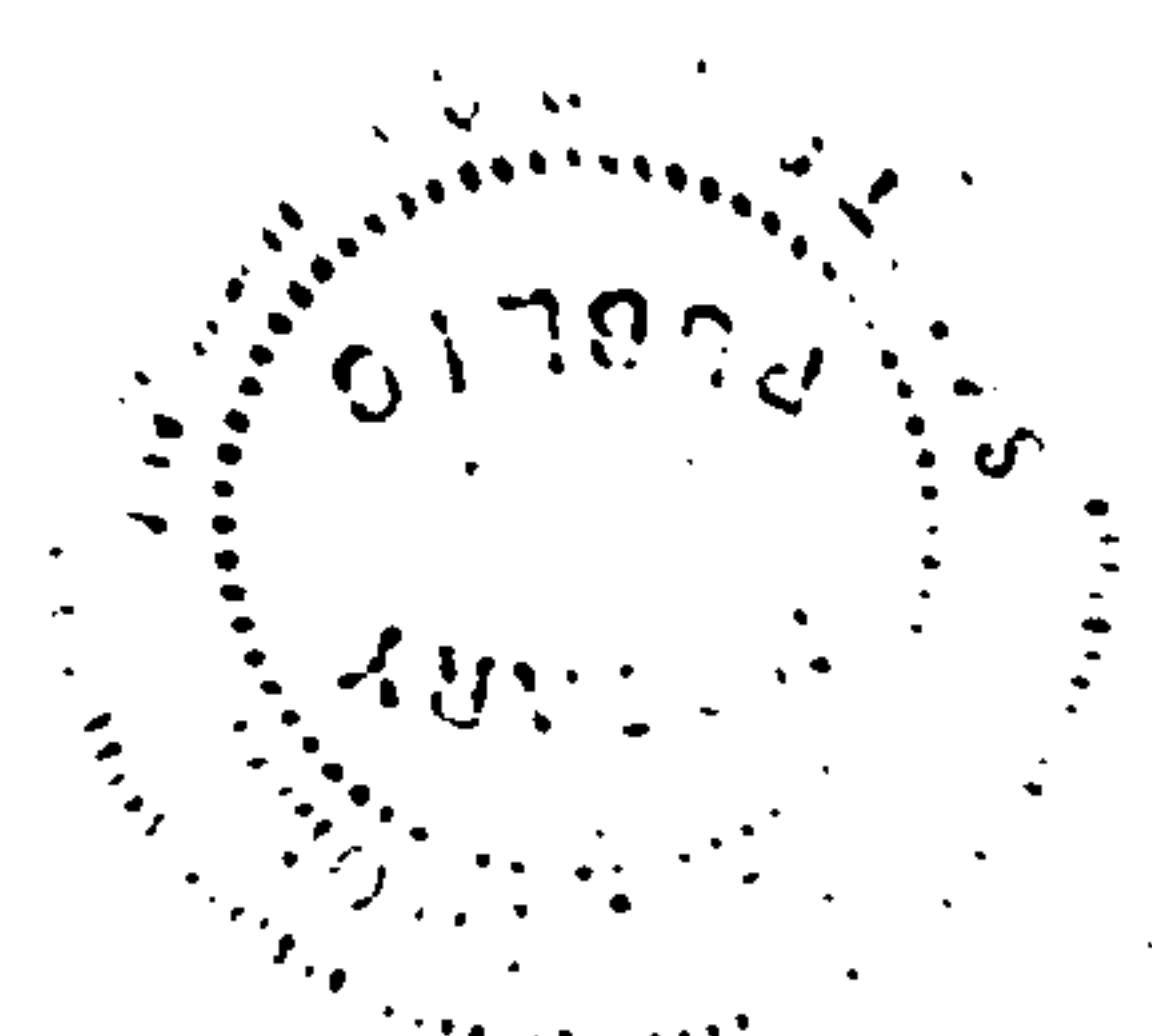
Jimmie Hardwick
Jimmie Hardwick

Sworn to and subscribed before me

this 13 day of January, 1967.

L. S. Thomas J. P.
Notary Public

Notary Public, Alabama State at Large
My Commission Expires Jan. 20, 1969.



STATE OF ALABAMA

SHELBY COUNTY

Before me, a Notary Public in and for said County and State, personally appeared Donald E. Richey, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is Donald E. Richey. I am 39 years of age^{and} am the son of Olen Richey and the grandson of W. A. Richey. I have carefully read the above affidavit of Miss Macauley Martin, and it is true and correct that I sold and conveyed the following described property to my brother, James Quinton Richey and his wife, Shelbia Jean Richey, in January, 1960:

The NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2 East, Shelby County, Alabama.

Begin at the Southeast corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2 East, and run thence North along the East boundary of said quarter-quarter section 483 2 feet to the center of the Macedonia Church Road; thence run Southwesterly along the center line of said Macedonia Church Road 1362 feet to the South line of said quarter-quarter section; thence run East along the South line of said quarter-quarter section to the point of beginning, according to survey of Dowell M. Ray, Registered Land Surveyor, dated November 8, 1966, and containing 7 acres, more or less.

As stated in the affidavit of Miss Martin, I first acquired the North Half of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 13, Township 18 South, Range 2 East in 1949.

There was a house on said property at that time, and I occupied said property as my homestead, residing thereon, and I afterwards added to my said homestead the South Half of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 13, Township 18 South, Range 2

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East in 1952, and I subsequently added the seven acre parcel designated above as a part of my homestead in 1958, acquiring the title thereto from my father.

Of the forty-seven acres which my wife and I conveyed to my said brother and his wife, portions thereof have been cultivated at various times over the years, portions have been in pasture. As stated, there is a house and barn on said property and other out building. As stated in the affidavit above of Miss Macauley Martin, my said brother, James Quinton Richey, and his wife, Shelbia Jean Richey and their predecessors in title (including myself and my wife), have been in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of said property for all of the 17 years which I have been familiar with the ownership and possession of said property and until the present date.

My father, Olen Richey, died intestate while a resident of Shelby County, Alabama, in October, 1962. My mother, Jessie Mae Richey, who was the widow of said Olen Richey, is still living. Said Olen Richey and Jessie Mae Richey were never married except to each other, and they had only twelve children, as follows: Myself (Donald E. Richey), James Q. Richey, Donnis R. Martin, Bernice R. Smith, Dewey Richey, Wendell Richey, Larry Richey, Bobby Richey, Johnny Richey, Carolyn R. Howard, Peggy R. Anderson, and Gary Richey. Said Peggy R. Anderson is over eighteen years of age and is married, and said Gary Richey is over eighteen years of age and unmarried. All of the other children of said Olen Richey are over twenty-one years of age.

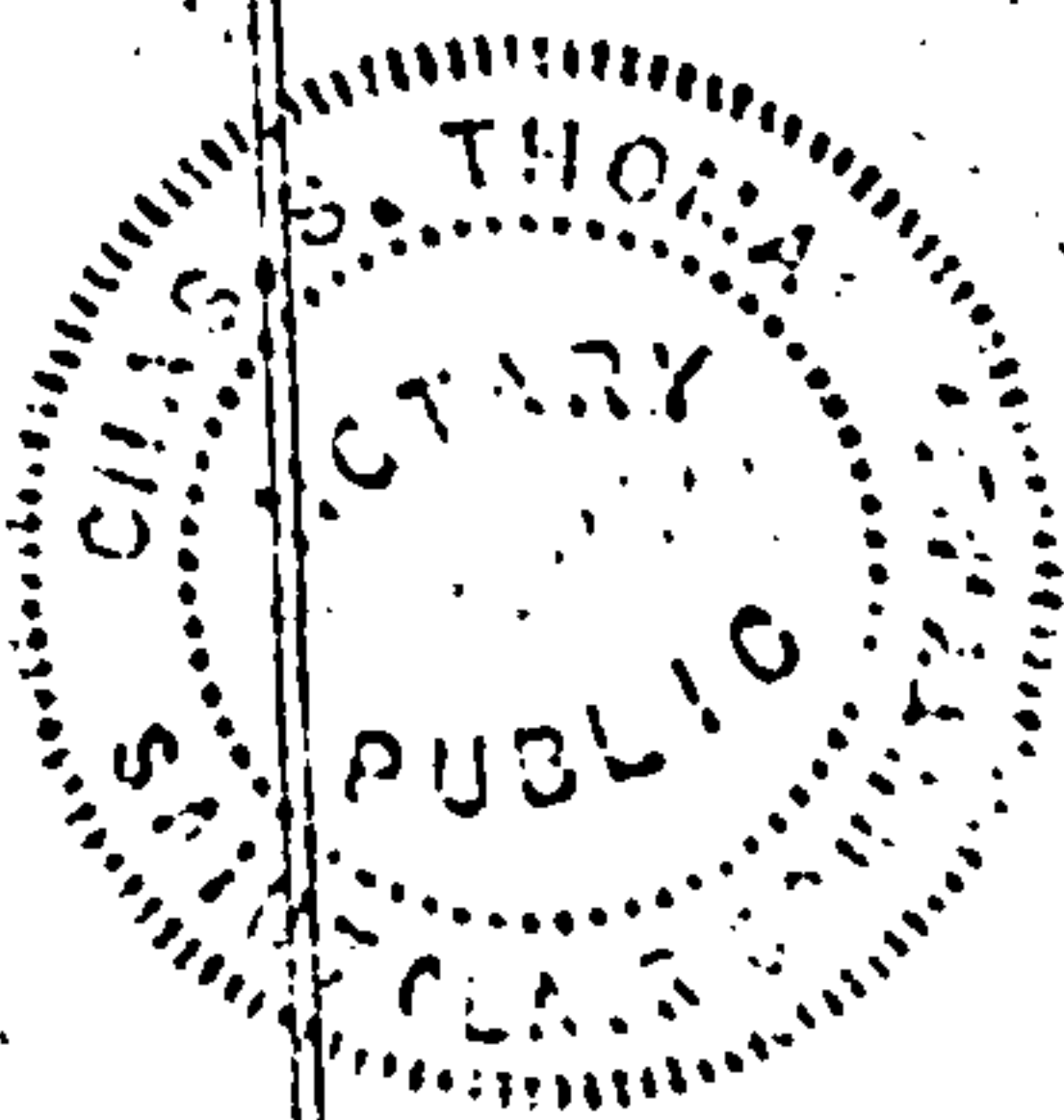
Donald E. Richey
Donald E. Richey

Sworn to and subscribed before me
this 13 day of January, 1967.

C. B. Thomas J. P.
Notary Public

Notary Public, Alabama State at Large
My Commission Expires Jan. 20, 1969

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1967 MAR 15 AM 9:37
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
C. B. Thomas
JUDGE OF PROBATE



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