

STATE OF ALABAMA )

SHELBY COUNTY )

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

My name is Frank Head and I presently reside in Columbiana, Alabama. I am 76 years of age and have been familiar with the occupation, use, and possession of the hereinafter described property for a period in excess of sixty years, to-wit:

One lot in the Town of Wilton formerly Birmingham Junction said lot being in the SE corner of the NE<sup>1</sup>/<sub>4</sub> of the SE<sup>1</sup>/<sub>4</sub> of Section 8 in Township 24, Range 12 East described as follows: Commencing at a corner 300 feet from the original right of way of the Southern Railroad and said point being the SW corner of lot formerly belonging to G. A. Moore and said point being 208.8 feet from the R. O. Camp house bt; thence running southwesterly and parallel with said railroad right of way 104.4 feet; thence in a southeasterly direction 300 feet to a street unnamed, thence northerly 104.4 feet along said street to the G. A. Moore lot, thence northwesterly along the line of said G. A. Moore lot 300 feet to starting point; said lot being a part of lot No. 8 in Block No. 2 as shown in the map made by J. E. Bozeman, C.E. and of record in Deed Book 14, page 239, in the Probate Office of Shelby County, Alabama.  
EXCEPT highway right of way.

I am a son of Sally Thomas Head, the grantee in that certain deed dated April 19, 1960, and recorded in Deed Book 208, page 512, in the Probate Records of Shelby County, Alabama. My mother and father and I, along with the rest of my family, moved to Wilton prior to January 1, 1907. I can remember the occupation, use and possession of the above described property as far back as the early part of the year 1907. When I first recall the said above described property in 1907, the same was owned by Oney Moreland and he and his family resided in the residence located thereon. I remember that Mr. Moreland had a fence around said above described property and his residence and kept confined therein a bulldog. My brother and I used to pass by the Moreland place on the above described property coming from school and would often <sup>stop</sup> to "observe and frolic" with Mr. Morelands dog. Mr. Moreland and his family continued to reside in the dwelling located on the above described property up until the same was sold to Ena Mae Smith, D. G. Smith, and others on September 24, 1928.

My brother-in-law, Grover L. Cleveland, and other members of our family decided to buy the above described property for my mother and father. Grover L. Cleveland got several quitclaim deeds from some of the Smiths and in 1938 filed a bill to



sell said land for division among the joint owners thereof. The above described property was purchased by Grover L. Cleveland on May 17, 1938, by deed recorded in Deed Book 104, page 496, in the Probate Records of Shelby County, Alabama. The last mentioned deed was authorized and ordered by the Probate Court of Shelby County. Immediately after the execution of said last mentioned deed in 1938, my said mother, Sally Thomas Head went into the immediate, actual, open, notorious, adverse, exclusive and hostile possession of said property and moved into the residence located thereon. She resided in said residence on the above described property for each and every year up to and including May 14, 1960, when she conveyed said property to John E. Lacey and wife Peggy Lacey by deed of that date recorded in Deed Book 210, page 542, in the Probate Records of Shelby County, Alabama. Actually, said Grover L. Cleveland failed to convey said above described property to my said mother prior to his death. On April 19, 1960, the heirs of said Grover L. Cleveland did execute a deed to our mother, Sally Thomas Head, which deed is recorded in Deed Book 208, page 512 in the Probate Records of Shelby County, Alabama. Even though this deed was not executed until 1960, my said mother, as aforesaid, remained in the residence located on said above described property for each and every year from 1938 up to and including May 14, 1960, as aforesaid.

On September 9, 1961, John E. Lacey conveyed his interest in the above described property to Paul S. Jernigan and wife Lois W. Jernigan. I understand that Peggy Lacey later conveyed her interest to Mr. and Mrs. Jernigan by deed recorded in Deed Book 217, page 272, in the Probate Records of Shelby County, Alabama. I am further informed that Paul S. Jernigan has since conveyed his interest in said property to Lois W. Jernigan, who is the present owners.

During the more than sixty years I have known the occupation, use, and possession of the above described property the same has been in the continuous, exclusive, notorious, hostile, open, and adverse possession of Lois W. Jernigan and her aforesaid predecessors in title. I have never heard the title of Lois W. Jernigan nor her predecessors in title questioned or disputed in any way. There have never been any boundary line disputes or claims made by any person, firm, or corporation to own any of the above described property adversely to said Lois W. Jernigan and her aforesaid predecessors in title.

Sworn to and subscribed before me  
this 23 day of April, 1967.

Notary Public

Affiant

JUDGE OF PROBATE

FILED IN DEED BOOK 217 PAGE 272 ABOVE

1967 APR 11 AM 10:43

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

BOOK 217 PAGE 642