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STATE OF ALABAMA)

SHELBY COUNTY)

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

My name is Lucy Lemley and I am the grantee in that certain deed executed on May 4, 1936, and recorded in Deed Book 100, page 62, in the Probate Records of Shelby County, Alabama. I have been familiar with the occupation, use, and possession of the hereinafter described property for a period in excess of 30 years, to-wit:

A certain parcel or tract of land situated in the South half of the S $\frac{1}{2}$ of Section 18, Township 22, Range 3 West, and more particularly described as follows: "Commence at the point on the North side of the Montevallo and Tuscaloosa Public Road where the grantor's lands join the lands formerly known as the William O'Neal Place, on the northern boundary of said road, and run in a Easterly direction along said northern boundary of said road, a distance of seventy-two yards; thence in a northerly direction parallel with the present western boundary of grantor's lands, to the southern boundary of the said lands formerly known as the William O'Neal Place; thence in a westerly direction along said southern boundary to the Northwest corner of grantor's lands; thence in a southerly direction along the boundary between grantor's lands and said William O'Neal Place to the point of beginning, containing two and one-half acres, more or less.

AND ALSO

/ LOT NO. 1, described as follows:

Begin at the Northeast corner of Section 19, Township 22, Range 3 West, Shelby County, Alabama; thence West along the North boundary line of said Section 19, a distance of 1133 feet to the western boundary line of the right of way of the Southern Railway Company; thence in a southwesterly direction along the western boundary of said right of way a distance of 34.7 feet for a point of beginning; thence continue in a southwesterly direction along the western boundary line of said right of way a distance of 240.1 feet; thence in a westerly direction and parallel with the northern boundary line of said section 19 a distance of 249 feet to a street; thence North and along the eastern boundary line of said street a distance of 208.71 feet to the southern boundary line of the Tuscaloosa-Montevallo Road; thence east 367 feet to the point of beginning, containing 1.4 acres, more or less;

AND ALSO LOT NO. 2, described as follows:

Begin at the Northwest corner of Lot No. 1, as hereinabove described, and run West a distance of 20 feet for a point of beginning; thence south and parallel with the western boundary of said Lot No. 1, a distance of 208.71 feet; thence west and parallel with the northern boundary line of said section 19 a distance of 535.37 feet to the center of a branch; thence in a northwesterly direction along the center of said branch a distance of approximately 332 feet to the northern boundary line of said section 19; thence east along the northern line of said section 19 a distance of approximately 271 feet to the right of way of said Tuscaloosa-Montevallo Road; thence in a southeasterly direction along the boundary line of said Tuscaloosa-Montevallo Road a distance of approximately 52 feet; thence east along the southern boundary line of said Tuscaloosa-Montevallo Road and parallel with the northern boundary line of said Section 19, a distance of approximately 454 feet to the point of beginning, containing 3.2 acres, more or less.

That portion of the above described property which lies in Section 19, Township 22, Range 3 West was purchased by George W. Whatley by deed dated June 19, 1942, and recorded in Deed Book 118, page 250 in the Probate Records of Shelby County, Alabama, Immediately after the execution of the last referred to deed and in 1942 said George W. Whatley and wife constructed a residence or house on that portion of the above described property which is in said Section 19. Mr. and Mrs. Whatley resided in said house on said property for each and every year continuously and exclusively up until said property was deeded to J. M. Allen and wife Sherry Allen by deed dated February 15, 1962, and recorded in Deed Book 219, page 256, in the Probate Records of Shelby County, Alabama. Said J. M. Allen and wife Sherry Allen never resided in the home on said property but George W. Whatley and wife, remained in said residence until it was sold to Charles Henry Hayes and wife, Jennie Lou Hayes on February 15, 1962, by deed recorded in Deed Book 245, page 801 in the Probate records of Shelby County, Alabama. Mr. and Mrs. Hayes moved into said residence on said property immediately after the execution of said last referred to deed and resided continuously and exclusively in said residence on said property for each and every year up to and including the date of this affidavit. A portion of the property conveyed to said Charles Henry Hayes and wife is located in the SW¹/₄ of SE¹/₄ of Section 18, Township 22, Range 3 West. The property so conveyed to Mr. and Mrs. Hayes is a part of a larger tract which was purchased by me and deeded to me, as aforesaid by deed recorded in Deed Book 100, page 62, in said records. Immediately after I purchased said property in 1936 I went into the actual, exclusive, notorious, continuous, hostile and adverse possession of said property and resided in the residence located on property adjacent thereto. I so remained in possession up until October 15, 1941, when I sold the same to George Whatley by deed bearing that date and recorded in Deed Book 110, page 436 in the Probate Records of Shelby County, Alabama. Said George Whatley remained in the actual, exclusive, notorious, hostile, continuous and adverse possession of that portion of said property which is located in said Section 18, as described above up until the same was deeded to Charles Henry Hayes and wife, Jennie Lou Hayes, as aforesaid, on February 15, 1962. Mr. and Mrs. Hayes have been in the continuous, exclusive, notorious, adverse possession of said property up to and including the date of this affidavit.

All of the above described property is presently owned by Charles Henry Hayes and wife Jennie Lou Hayes pursuant to deed referred to above and I have never heard their title questioned or disputed in any way. I know of my own knowledge that none of the following conveyances overlapped or conveyed property which overlapped on the first above described property in any way: (1) Deed from Burr Nabors and wife, Virginia

Nabors to William O'Neal dated September 28, 1894, and recorded in Deed Book 18, page 10; (2) Deed dated April 11, 1901, from William O'Neal and wife to Buck Shivers recorded in Deed Book 32, page 350; (3) Deed from Lucy Lemley, a widow, to Fred E. Lovejoy dated September 9, 1953, and recorded in Deed Book 163, page 94; (4) Deed from Lucy Lemley, a widow, to Fred E. Lovejoy dated December 15, 1964, and recorded in Deed Book 170, page 396; (5) Deed from George W. Whatley and wife, Theo Whatley to Coy Holsomback dated October 23, 1951, and recorded in Deed Book 192, page 463; (6) Deed from Lucy Lemley, a widow, to Frances Lemley Draper dated June 13, 1961, and recorded in Deed Book 216, page 299, all in the Probate Office of Shelby County, Alabama.

Lucy Lemley
Affiant

Sworn to and subscribed before me
this 24 day of March 1967.

L. E. Shaw
~~Notary Public~~
Justice of the Peace

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS
FILED
1967 APR 11 AM 1:59
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Cons. J. M. D. Co.
JUDGE OF PROBATE