

9046

STATE OF ALABAMA
SHELBY COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Zeb Merrall, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is Zeb Merrall. I am 60 years of age and have lived in Shelby County, Alabama, all of my life. I presently own the following described land:

Part of the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36, Township 20 South, Range 3 West, described as follows: Beginning at the southwest corner of said $\frac{1}{4}$ - $\frac{1}{4}$ Section and run north along west line a distance of 356 yards, more or less, to south side of Harpersville Public road; thence in an easterly direction along the south side of said road a distance of 148 yards to a sweetgum tree on the south side of said road; run thence south 133 yards to an iron pipe; thence east 21 yards, more or less, to a maple tree on west bank of branch; run thence east to the center of said branch; run thence southerly direction along center of said branch to point of intersection of south line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section; thence run west along south line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 235 yards, more or less, to point of beginning, EXCEPTING lot sold to J. T. and Dorothy Bolton as described in Deed Book 215 page 66 in Probate Office; also EXCEPTING highway right-of-way.

Part of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 36, Township 20 South, Range 3 West, described as follows: Commencing at southeast corner of said $\frac{1}{4}$ - $\frac{1}{4}$ Section and run north along east line a distance of 451.2 feet to northeast corner of Earl Watts lot for point of beginning; thence turn an angle to left and run westerly along north line of Watts lot to the east right-of-way line off Harpersville Public Road; thence northeasterly along said road to intersection with east line of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36; thence run south along east line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section to point of beginning, EXCEPTING highway right-of-way;

All being situated in Shelby County, Alabama.

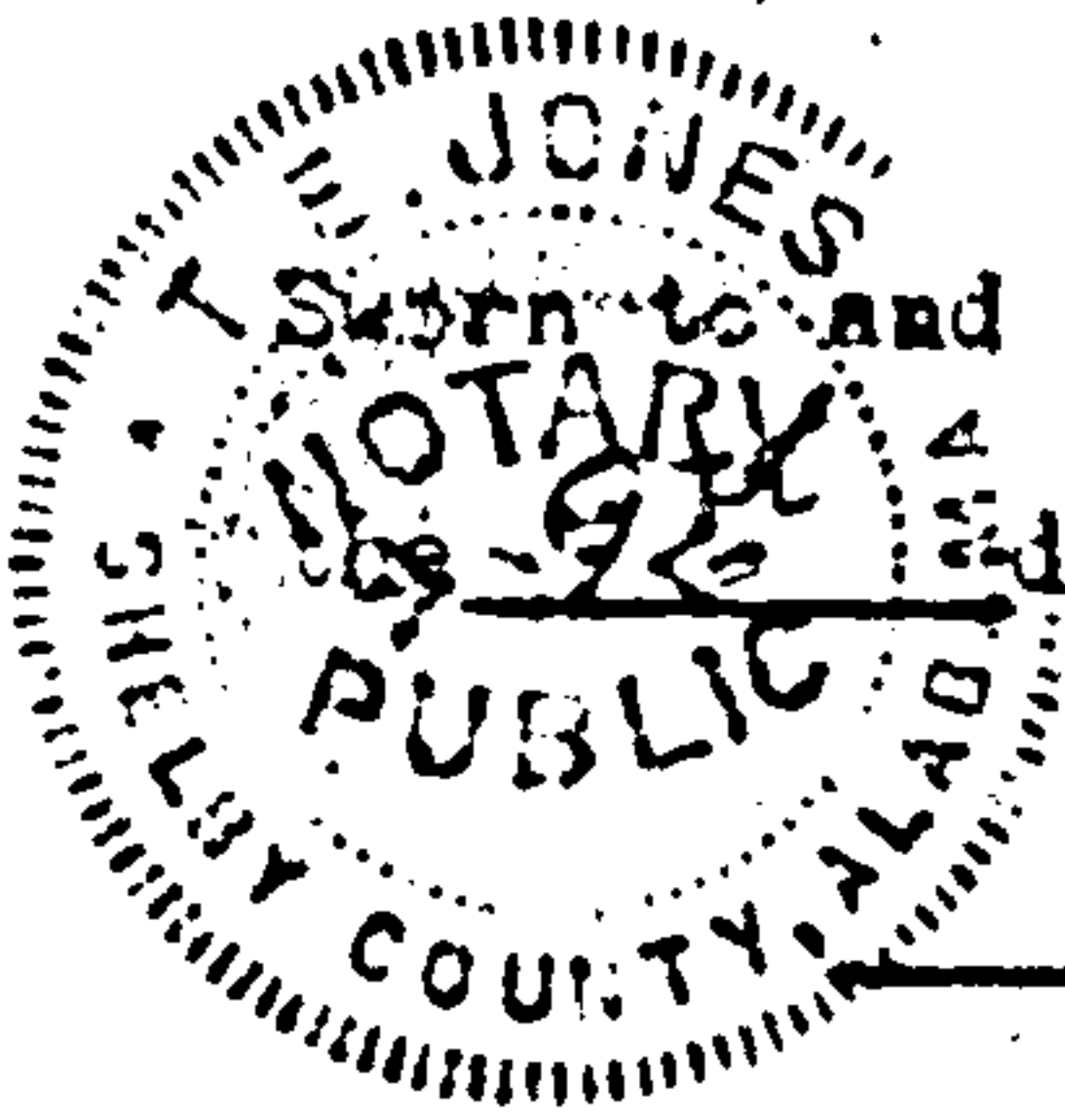
I purchased the above described land located in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 36 from M. C. Wilson and wife in September, 1947, along with other land, but I sold off the portion lying west of Simmesville paved highway. I purchased the remainder of the above described land which is situated in NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 36 from S. C. Reach and wife on December 10, 1953. When I purchased the land from the Wilsons, I remodeled the house situated thereon and moved into the same. The north portion of the land was bounded by the old Harpersville Road, the east portion by a fence and branch and the south line by a fence and the west line by a fence. I lived in said dwelling house and used portions of the land for pasture and cultivated portions of it each and every year. I did sell a portion of the land which was purchased with the above to John Dewey Bowen and Peggy Sue Bowen on January 20, 1964, but I understand they did not record their deed but took possession of the property and lived on it and got behind on the payments and I had to foreclose on said mortgage on October 22, 1965, as shown by foreclosure deed recorded in Deed Book 238 page 887 in the Probate Office of Shelby County, Alabama. I went back into possession of the land foreclosed, along with my other property and have been in the actual peaceable possession of all of the same until this very day. I have

paid the taxes on said land each and every year and during all the time I have owned the same, no one has disputed my title or contested my possession and I have owned and occupied the same against all the world, except for the sale and above mentioned/foreclosure to Bowen.

Zeb Merrill

Zeb Merrill

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1606 FEB - 8 PM 2:55
U.C.C. FILE NUMBER OR
REC. EX. & PAGE AS SHOWN ABOVE
Carroll M. Jones
JUDGE OF PROBATE



Sworn to and subscribed to before me on this
16th day of January, 1968.

T. E. Jones

Notary Public

State of Alabama
Shelby County

Before me, the undersigned authority in and for said county in said state, personally appeared M. C. Wilson, who, after being by me first duly sworn to speak the truth, deposes and says:

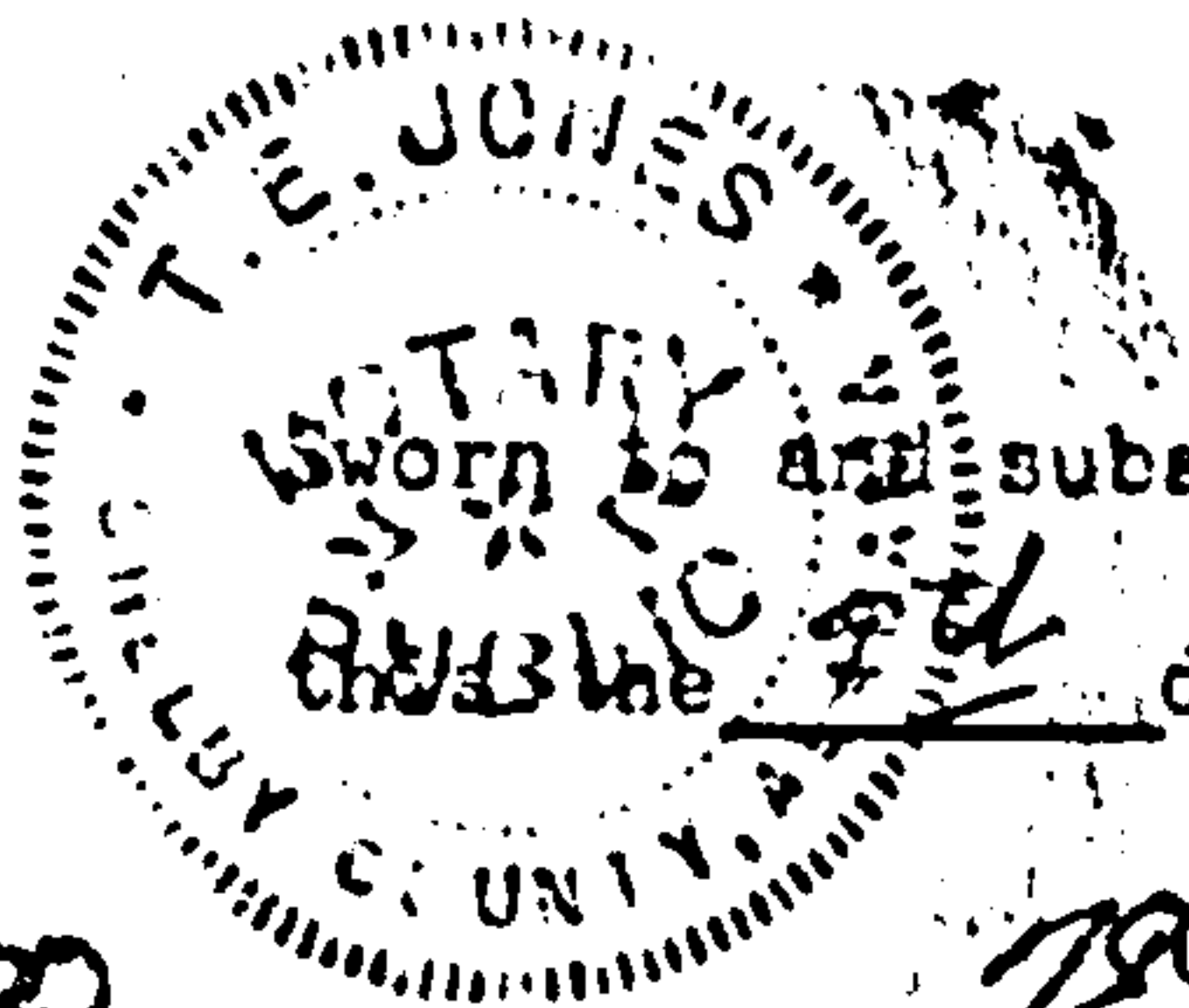
My name is M. C. Wilson. I am one and the same person who sold the above described land situated in NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 36 to Zeb Merrill in September, 1947. There has been called to my attention that on January 10, 1948, I gave Central State Bank a mortgage on certain property and included the property which I had already sold to Zeb Merrill. This land was included in said mortgage through oversight and inadvertance, as I did not claim any interest in the property I sold to Zeb Merrill after the deed was made in 1947.

The heirs named in the affidavit of John R. Harless and J. S. Turpin which is recorded in Deed Book 105 page 575 in said Probate Office as being the sole and surviving heirs at law of James Wilson are also the sole and surviving heirs at law of Sallie O. Wilson.

I have read the above affidavit of Zeb Merrill and am familiar with the matters and things stated therein and know the same to be true and correct.

M. C. Wilson

M. C. Wilson



Sworn to and subscribed before me on
16th day of January, 1968.

T. E. Jones
Notary Public

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251