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

My name is W. J. Bailey. I am 78 years of age and reside at Route 2, Montevallo, Shelby County, Alabama.

I am the owner of certain land in the SE $\frac{1}{4}$ of Section 10, Township 22 South, Range 3 West, Shelby County, Alabama, which land lies Southeast of the Montevallo--Ashville paved road, now known as Shelby County Highway No. 119. I am familiar with the John Rucker farm, which adjoins my said property, and I have been familiar with the said Rucker farm for the past 50 or more years.

Said farm was originally known as the Killough Place, and later as the Berry Place, according to my information. I bought a portion of said farm from John Rucker in 1956, as shown by deed recorded in Deed Book 181 at page 392, Office of Judge of Probate of Shelby County, Alabama, and I have lived and resided on said property which I bought continuously since that time. I previously made an affidavit concerning a portion of said farm conveyed to John M. Stevens and concerning other matters as set forth in said affidavit, as shown by affidavit recorded in Deed Book 207 at page 614 in said Probate Office. Other than portions of said original farm which were conveyed to said John L. Stevens and to myself, other portions have been conveyed to Albert L. Scott, Noble W. Fennell, and others, one parcel having been fairly recently conveyed to Gordon H. Doss and wife. The remaining portion of said John T. Rucker farm is described as follows:

All that part of the S $\frac{1}{2}$ of Section 10, Township 22 South, Range 3 West, lying East of Shoal Creek and South of the Mill Road, known as the Killough Mill Road, leading from the Ashville Road to the Mill known as the Killough Mill, EXCEPTING that tract sold to W. J. Bailey as described in Deed Book 181 at page 392; ALSO EXCEPT that tract sold to John M. Stephens as described in Deed Book 205 at page 203; ALSO EXCEPT that tract sold Albert Scott as described in Deed Book 203 at page 56; ALSO EXCEPT Highway right of way as shown by deed recorded in Deed Book 124 at page 190., Office of Judge of Probate of Shelby County, Alabama.

The W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 11, Township 22 South, Range 3 West, EXCEPT THE FOLLOWING TRACT belonging to Albert L. Scott: Begin at NW corner of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 11, Township 22, Range 3 West and run South 66 deg. 19 min. East 1465.12 feet to point on East

boundary of said forty acres; thence North 3 deg. West along boundary 665.49 feet to NE corner of said forty; South 86 deg. 40 min. West 1309.11 feet to point of beginning of said exception. Also, EXCEPT a corridor of a uniform width of 330 feet from East to West and extending North from the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 14, Township 22 South, Range 3 West, Northward to the SW boundary of the present estate of Albert L. Scott, and more exactly described as follows: Begin at the SE corner of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 11, Township 22 South, Range 3 West and proceed North along the East boundary of the W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 11 to the SW boundary of the Albert L. Scott property; thence along said boundary North 66 deg. 19 min. West 360.3 feet; thence South and parallel to the East property line to the North side of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 14; thence East along the North side of said quarter-quarter section 330 feet to point of beginning.

AND ALSO, a parcel of land situated in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, Township 22 South, Range 3 West, said parcel being of triangular shape and bounded on the South by the South line of said quarter-quarter, on the NW by the Southeasterly right of way line of Alabama State Highway No. 119 and on the NE by the Southwesterly line of the Scott property, if said line was extended in a Northwesterly direction to its intersection with the said southeasterly right of way line of State Highway No. 119, more particularly described as follows: Begin at the SE corner of said quarter-quarter; thence in a Westerly direction along the southline of said quarter-quarter 153 feet, more or less, to a point on the Southeasterly right of way line of said State Highway No. 119; thence in a Northeasterly direction along said Southeasterly right of way line of State Highway No. 119, 75 feet, more or less, to a point on the Southwesterly line of the Scott property, if said line was extended in a Northwesterly direction; thence in a southeasterly direction along said extended property line 143 feet, more or less, to the point of beginning.

As stated above, a portion of said property has recently been conveyed to Gordon H. Doss and wife, according to my information, the above description including said Doss property.

Said property has been used for cultivation, pasture, and timber purposes over the years and during the time that I have been familiar with the ownership and possession of the same. There has been a house situated on said property for many years. C. D. Deaton owned said property and lived in said house for awhile, and then, after said C. D. Deaton conveyed the same to William Edward Carlisle, said William Edward Carlisle or his tenants moved in said house on said property and lived in said house continuously until the same was conveyed to John Rucker, about 1948. Said John Rucker lived in said house as his homestead on said property continuously from about 1948 when he bought and went into possession of said property until his death, about three years ago. The children of said John Rucker, namely, Imogene Rucker Sizemore, Lucille Rucker, James T. Rucker, and Edward B. Rucker, are the present owners of said property, having taken the title of their father through inheritance or as devisees under his Will.

The old Killough Mill Road is a road which runs in an Easterly direction line of a portion marking the Northern boundary of said property and intersecting the present

Montevallo-Ashville paved road, also known as Shelby County Highway No. 119. Said old Killough Mill Road is still located in the original location and where it has been located for as long as I have known said property. Shelby County Highway No. 119, before it was paved, was originally known as the Ashville Road, and was paved about 1946. The present right of way of said Shelby County Highway No. 119, which marks a portion of the northern or Northwestern boundary of said above described property, includes all of the old roadbed of said old Ashville Road as it existed ^{prior} to the paving thereof and as it existed as far back as I can remember, said Shelby County Highway No. 119, after it was paved, having followed closely the old roadbed of said old Ashville Road.

I know of my own personal knowledge that said Imogene Rucker Sizemore, Lucille Rucker, James T. Rucker, and Edward B. Rucker, and their predecessors in title, as designated above, have been in the actual, open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of all of said property for the past 50 or more years. I have never heard anyone question the title, ownership, or possession of said Imogene Rucker Sizemore, Lucille Rucker, James T. Rucker, and Edward B. Rucker, and their predecessors in title, as designated above.

W. J. Bailey
W. J. Bailey

Sworn to and subscribed before me
this 17th day of January, 1968.

J. B. Davis
Notary Public

STATE OF ALABAMA
SHELBY COUNTY

Before me, a Notary Public, in and for said County and State, personally appeared Albert L. Scott, who is known to me, and who being by me first duly

sworn, deposes and says as follows:

My name is Albert L. Scott. I am 65 years of age and reside at Route 2, Montevallo, Shelby County, Alabama.

I am familiar with the property designated above in the affidavit of W. J. Bailey known as the John Rucker farm, and I have been familiar with the ownership and possession of said property since about 1951, when I bought and went into possession of a portion of said original John Rucker farm. I have lived and resided on said property which I purchased from John Rucker since about 1951 when I bought said property or immediately thereafter. Said John T. Rucker lived and resided on said property more particularly described above in the affidavit of W. J. Bailey and known as the John Rucker Farm continuously since I first became familiar with the ownership and possession of said property about 1951 and until Mr. Rucker's death, about three years ago. He occupied all of said property as one farm, utilizing most of said farm for pasture and timber purposes.

Said John Rucker executed a Quit Claim Deed to me covering a small portion of the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10, Township 22 South, Range 3 West, as shown by deed recorded in Deed Book 203 at page 25, Office of Judge of Probate of Shelby County, Alabama, and I subsequently conveyed part of said parcel back to the Rucker's children, namely, Imogene Rucker Sizemore, Mary Lucille Rucker, James T. Rucker, and Edward B. Rucker, in January, 1966, as shown by deed recorded in Deed Book 240 at page 5 in said Probate Office. All of said property lying South or Southeast of Shelby County Highway No. 119, and situated in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10, Township 22 South, Range 3 West, has been possessed by either John T. Rucker, myself, or said Imogene Rucker Sizemore, Mary Lucille Rucker, James T. Rucker, and Edward B. Rucker, since 1951 and has been possessed and used for pasture purposes since 1951.

I know of my own personal knowledge that said John Rucker, and his successors in title, have been in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of all of said property since 1951 and until the present date. I have never heard anyone

question the title, ownership, or possession of said John Rucker and his successors in title to said property.

Albert L. Scott

Albert L. Scott

Sworn to and subscribed before me

this 17 day of February 1968.

J. B. Davis
Notary Public

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

1968 FEB 29 AM 7:46

U.C.C. FILE NUMBER OR
REC. DR. & PAGE AS SHOWN ABOVE

Conf. 1/24/68

JUDGE OF PROBATE