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STATE OF ALABAMA

SHELBY COUNTY

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

My name is Ethel Lacey. I am 76 years of age and reside at Route 1, Leeds, Alabama, in Shelby County. I am the widow of J. T. Lacey, deceased, and I have not remarried since the death of my said husband.

My said husband, J. T. Lacey, died intestate while a resident of Shelby County, Alabama, on March 21, 1942. There was no court administration of his estate, and all of his debts have been paid.

Said J. T. Lacey and I were never married except to each other, and we had a total of six children, one of which was a still-born child. The other five children namely, W. Paul Lacey, Eugene D. Lacey, Madge Lacey Seifert, Mary Lacey Hoyle, and Julia Lacey Jarnigan, are all living.

At the time of his death, my said husband, J. T. Lacey, was the owner of the following described property, as shown by deed dated April 1, 1938, and recorded in Deed Book 105 at page 215, Office of Judge of Probate of Shelby County, Alabama:

The NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of SW $\frac{1}{4}$  and the surface rights to the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  and the North 10 acres of the Southeast quarter of the NW $\frac{1}{4}$  and the following described land in the NW $\frac{1}{4}$  of the NE $\frac{1}{4}$ ; commencing at the NW corner of said NW $\frac{1}{4}$  of NE $\frac{1}{4}$  and run in a southerly direction along the west boundary to a branch at or near the old ford of the road leading to the old Alice Cox residence for point of beginning; run thence up said branch following the left hand prong in the southeasterly direction to a second fork of said branch; run thence up and along the right hand prong of said branch to the south boundary of said NW $\frac{1}{4}$  of NE $\frac{1}{4}$ ; run thence west along said south boundary to SW corner of said NW $\frac{1}{4}$  of NE $\frac{1}{4}$ ; run thence northerly along the west boundary to point of beginning, containing 10 acres, more or less, in the said NW $\frac{1}{4}$  of NE $\frac{1}{4}$ ; all in Section 5, Township 19, Range 1 West, Shelby County, Alabama.

Less and except highway right of way.

Said property was the homestead of said J. T. Lacey and myself, and I have resided on said land for the past 54 years.

W. J. Hooks and wife, Nell J. Hooks own, or did own, property which adjoins the above described property; said W. J. Hooks and wife, Nell J. Hooks, have never owned, claimed, or possessed the above described property, nor any part thereof, and neither has there ever been any property line dispute between their said property and the above described property.

It has been brought to my attention that J. H. Milner formerly held a deed to 30 acres off the north end of the NW $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 5, Township 19 South, Range 1 West. Said property which was formerly owned by said J. H. Milner does adjoin a portion of the above described property, a portion of said J. H. Milner property having been subsequently conveyed to Robert Smith, according to my information, and the remaining portion of said J. H. Milner property having been conveyed to Malone Freight Lines, Inc., or to Alabama Mineral Land Company, according to my information.

Said J. H. Milner property, or the part thereof which was subsequently conveyed to Malone Freight Lines, Inc., or to Alabama Mineral Land Company, was formerly conveyed to Mr. Clarence Elliott, who did originate a boundary line case in the Circuit Court of Shelby County against myself and against the other heirs of my said husband. After the death of Mr. Elliott, said Elliott property was conveyed either to Malone Freight Lines, Inc., or to Alabama Mineral Land Company (both of which corporations are represented by Mr. Josh Oden, according to my information), said boundary line case was dismissed and the boundary line settled according to the property lines as shown on the State Highway Department Right of Way Map for Project F-214(15) as recorded in the Office of the Judge of Probate of Shelby County, Alabama, in Right of Way Map Book 3 at page 30, the property of myself and the other J. T. Lacey heirs being shown on said map as Parcel No. 15.



The area of land affected by said boundary line dispute did not touch any portion of the additional highway right of way which is being acquired by the State of Alabama in connection with the said Project F-214 (15), being the project to widen and four lane U. S. Highway No. 280.

I know of my own personal knowledge that said J. T. Lacey, and his successors in title, as designated above, have been in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of all of the above described property for the past thirty or more years.

Ethel Lacey  
Ethel Lacey

Sworn to and subscribed before me  
this 20 day of May, 1968.

R. P. Bailey  
Notary Public

NOTARY PUBLIC  
SHELBY COUNTY, ALA.  
REC. MAY 18 1968  
NOTARY PUBLIC

STATE OF ALABAMA

SHELBY COUNTY

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

My name is W. Paul Lacey. I am 54 years of age and reside at Route 1, Leeds, Shelby County, Alabama. I am one of the children of J. T. Lacey, deceased, and I have read the above affidavit of my mother, Ethel Lacey, relative to the real estate of said J. T. Lacey, and I hereby state that I know of my own personal knowledge that the allegations of fact contained in said affidavit of Ethel Lacey are true and correct.

W. Paul Lacey  
W. Paul Lacey

Sworn to and subscribed before me,  
this 20 day of May, 1968.

R. P. Bailey  
Notary Public

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