

3211

STATE OF ALABAMA

SHELBY COUNTY

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

My name is Jess Jones. I am 72 years of age. When I first remember the hereinafter described land, it was owned and occupied by Maria Callens and her husband, Ellis Callens. Said land being described as:

A part of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 9 Township 24 North, Range 15 East, described as follows: Begin at the SW corner of the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ and run North 2 deg. 30 ft. West 299.8 feet; thence North 87 deg. 30 ft. East 210.0 feet to West right of way line of Shelby County paved Highway #47; thence South 4 deg. 30 ft. East along said right of way 300.0 feet; thence South 87 deg. 30 ft. West 216.2 feet to point of beginning.

They both lived on and occupied said land until he died and she occupied it for some years later when some of her folks took her away. She had occupied it and cultivated portions of it each and every year until she got too old to tend to it. After she left, I am not too familiar with the land until the purchase by Valma Benson in 1940. I know she did purchase it/went into immediate possession of it and sold timber to Ross Hope and he cut the timber and I am informed that Ed Benson tended the land during the time she owned it. The said Valma Benson sold the same to Freeman Benson in 1950 as shown by deed recorded in Deed Book 140 page 561 in the Probate Office of Shelby County, Alabama. Said Freeman Benson went into immediate possession of same and he lived on it as a part of his homestead, his house being in the 40 acres located in 240 north of the above described land and he had used that part of said land lying east of Highway #47 as pasture and he occupied all of said land as his homestead and used the part mentioned as pasture each and every year until 1968 when he sold said land to James W. Benson and Myra J. Benson as shown by deed recorded in Deed Book 256, page 519 in the Probate Office of Shelby County, Alabama. The last two mentioned persons went into immediate possession of said land and drilled a well on it and are now in the process of building a dwelling house on it. I knew George S. Busby all his lifetime and I understand that George S. Busby and George Samuel Busby are one and the same person. Affiant further says that throughout all the years he has known said land he has never heard of any one contesting the title or dispute the possession of James W. Benson and Myra J. Benson or their predecessors in title.

BOOK 258 PAGE 481

State of Alabama
Shelby County

Jess Jones
Jess Jones

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1968 JUL - 1 PM 1:26
U.S. FILE NUMBER OR
REC. BOOK PAGE AS SHOWN ABOVE
JUDGE OF PROBATE

Sworn to and subscribed to before me on this the 27th day of June, 1969.

Matthew S. Janner
Notary Public