

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

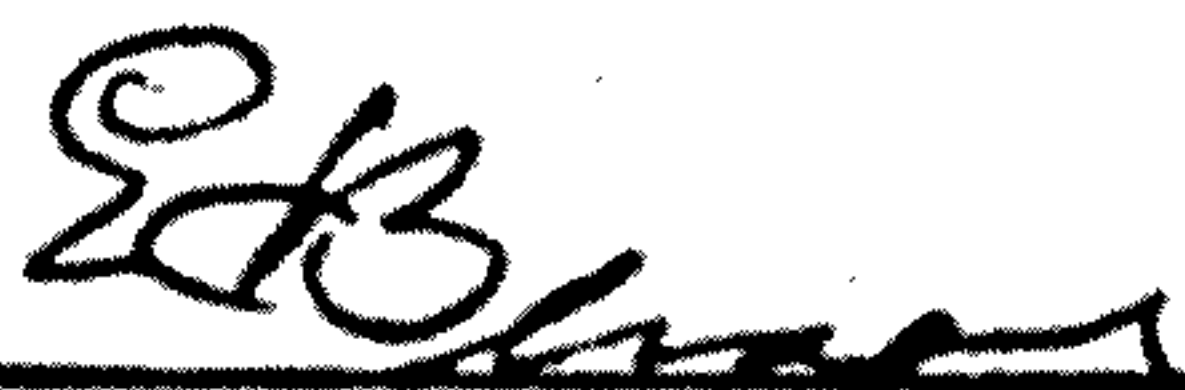
My name is Ed Benson. I am 56 years of age and have lived in the Shelby community all of my life and have all along been well acquainted with the hereinafter described property:

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 line 300.0 feet; thence South 87 deg. 30 ft. West 216.2 ft. to point of beginning.

From the time this property was purchased by my wife in 1941, she went into immediate possession of it and I, as her agent, farmed and cultivated said land or portions each and every year until my wife 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. From the time I was a small boy my father's place joined the above described land and I understand it was owned by Maria Callens and I knew her and her husband, Ellis Callens and they lived on it until his death in about 1923 or 1924 after which his wife, Maria Callens, continued to occupy said land and lived in the house which she and Ellis Callens lived and cultivated portions of the land each and every year until she became too old to care for the same and some of her children came and got her shortly before her death sometime in the middle or late 1930's. After she moved, it is my understanding that her heirs continued to assess that land until it was purchased at a tax sale by my wife, Velma Benson, on March 8, 1940 as shown by tax record 13, page 250 in the Probate Office of Shelby County, Alabama. After my wife purchased said land at tax sale, she then obtained a deed out of Carrie Busby covering her interest in the same. She also purchased the interest of William C. Nelson, as Trustee, and Indemnity Insurance Company of North America. It is my understanding that the makers of said deed to my wife had obtained their interest from the heirs of Maria Callens and C in 1938 as shown by deed recorded in Deed Book 111, page 164 in the Probate Office of Shelby County, Alabama.

Affiant further says that Freeman Benson bought said land from Velma Benson, being affiant's wife, and affiant in November of 1950 as shown by deed recorded in Deed Book 140, page 561 in the Probate Office of Shelby County, Alabama,

and he went into immediate possession of same and lived on land adjoining and being situated in north 240 north of above said land and all of said land he owned constituted his homestead and he used part of it for pasture and cultivated part until March of 1968 when he sold the above described land to James W. and Myra D. Benson. They went into immediate possession of same and have drilled a well and are now in the process of erecting a dwelling house thereon. I know that said land has been owned and occupied by the owners in title and predecessors in title of the said James W. Benson and Myra D. Benson from as far back as I can remember said land. I know that throughout all the years I have never heard of any one contesting the title of James W. Benson and wife, Myra D. Benson and their predecessors in title.



Ed Benson

State of Alabama

Shelby County

Sworn to and subscribed to before me on  
this the 20<sup>th</sup> day of June, 1969.

  
Notary Public

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1969 JUL -1 PM 1:27  
U.C.C. FILE NUMBER OR  
REC. EX. & PAGE AS SHOWN ABOVE  
Carroll M. Joiner  
JUDGE OF PROBATE