

1679
STATE OF ALABAMA)
SHELBY COUNTY)

Before me, the undersigned authority, in and for said County and State, personally appeared J. E. Rutherford who, being known to me and being by me first duly sworn, deposes and says as follows:

That he is 53 years of age and presently resides at Melona, Ala
_____ ; that he has been acquainted with the occupation, use and possession of the following described property for the last past 45 years:

My name is J. E. Rutherford and I am the Grantee in that certain deed dated October 8, 1959 and recorded in deed book 205, page 639 in the Probate Records of Shelby County, Alabama. E. U Rutherford was my father. I was acquainted with W. J. Wilbanks who executed that certain deed dated September 29, 1920 which is recorded in Deed book 72, page 17 in the Probate Records of Shelby County, Alabama.

It has been called to my attention that the name Ida Caldwell appears as one of the Grantors in that certain deed referred to above which is recorded in deed book 50, page 334 in the Probate Records of Shelby County, Alabama. Said Ida Caldwell is one in the same persons as Ida Rutherford who signed the deed by placing her mark thereon. It has also been called to my attention that said deed was apparently not signed by W. C. Rutherford eventhough his name appeared in the body of the deed and a Notary Public who acknowledged the same stated that he came before him and voluntarily executed the deed. I know that after the execution of said deed, said W. C. Rutherford recognized the said property was owned by W. J. Wilbanks and his predessors. Said W. C. Rutherford never questioned or disputed the title of W. J. Wilbanks, E.U. Rutherford, or your affiant J. E. Rutherford and in all ways recognize the title of said affiant and his predessors in title.

Further deposing, affiant says that at the present time AFFIANT
_____ owns said land in fee simple, and since the time that he first knew the land it has been owned by the present owners, and their predecessors in title and has been occupied by them actually, exclusively, openly, notoriously, hostilely and continuously and he has never heard the title of the present owners or their predecessors in title questioned in any way.

J. E. Rutherford

Sworn to and subscribed before me
this 14 day of Dec, 1967.

Frank Ellis, Jr
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1970 MAR 13 AM 9:05
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Cecil R. Rutherford
JUDGE OF PROBATE