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Shelby Cnty Judge of Probate, AL
05/26/1971 12:00:00 AM FILED/CERT

STATE OF ALABAMA)

SHELBY COUNTY)

Before me, the undersigned authority, a Notary Public in and for said County, in said State, personally appeared EUGENE ROBINSON, who, being by me first duly sworn to speak the truth, deposes and says as follows:

My name is Eugene Robinson and I am 56 years of age. I have been familiar with the occupation, use and possession of the hereinafter described property for a period in excess of thirty years. Said property is situated in Shelby County, Alabama, and is more particularly described as follows, to-wit:

PARCEL I: A part of the SW¹/₄ of NW¹/₄ of Section 1, Township 21 South, Range 3 West, described as follows: Eommence at the SE corner of said ¹/₄ ¹/₄ Section and run Northerly along East line a distance of 466.42 feet thence turn an angle of 89 deg. 00' to left and run 48.39 feet to point of beginning; thence continuing in straight line 226.53 feet; thence turning an angle of 60 deg. 25' to left in a Southwesterly direction 164.55 feet; thence turning an angle of 90 deg. 00' to left in a Southeasterly direction 197.00 feet; thence turning an angle of 90 deg. 00' to left in Northeasterly direction 276.39 feet to point of beginning. Subject to Easement to Alabama Power Company.

PARCEL II: Also a part of the SW¹/₄ of NW¹/₄ of Section 1, Township 21 South, Range 3 West, described as follows: Bgin at the SE corner of said ¹/₄ ¹/₄ Section and run Northerly along East boundary for 466.42 feet; thence turning an angle of 89 deg. 00' to left in Westerly direction 48.39 feet; thence turning angle of 60 deg. 25' to left Southwesterly for 276.39 feet; thence turning angle of 90 deg. 00' to right in Northwesterly direction 197.00 feet; thence turning an angle of 49 deg. 04' to left in Southwesterly direction 153.78 feet; thence turning an angle of 132 deg. 26' to left in Southeasterly direction 577.36 feet to point of beginning. Subject to easement to Alabama Power Company.

I am one and the same person as "Eugene Roberson" who was one of the grantees in that certain deed executed in May, 1940, and recorded in Deed Book 108, page 521, in the Probate Records of Shelby County, Alabama. By the last referred to deed my then wife and I purchased Tract No. 1 as described above. I understand that there was a mistake in the description but the property above described correctly as Parcel I is the property which we purchased in 1940 by said deed. We inspected the property prior to the purchase walked the same out, and both Ruben Walker and Mattie Walker and affiant and his then wife understood and knew that Parcel I above was the property to be conveyed by said deed. Immediately after the execution of said deed by then wife and I went into the immediate actual, adverse, hostile, notorious, open and exclusive possession of said property and in the year 1940 constructed on said property described as Parcel I above a home or residence. Affiant and his then wife resided in the house situated on the above said Parcel I for each and every year from 1940 up to and including the year 1947 when affiant moved from said property leaving his then wife, Rochelle Robinson in possession of the same.

On September 2, 1946 affiant purchased from Mattie Lee Walker that property described

Parcel II which is adjacent to Parcel I and then affiant and his then wife Rochelle

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Robinson continued in the occupation, use and possession exclusively of both Parcel I and Parcel II above until affiant and his then wife Rochelle Robinson separated in 1947. After affiant and his then wife Rochelle Robinson separated in 1947, Rochelle Robinson continued to live in and reside in the house situated on the above described property for each and every year and kept her personal property and possessions in the same up until and including the year 1966. On August 22, 1967, your affiant purchased the interest of the said Rochelle Robinson, his former wife, at mortgage foreclosure sale as evidenced by mortgage foreclosure deed dated August 22, 1967, and recorded in Deed Book 249, page 909, all in the Probate Records of Shelby County, Alabama. Affiant and his present wife in 1967 then conveyed a portion of the above described property to affiant's daughter and son-in-law Jimmy R. Underwood and wife, Elouise Underwood. Jimmy and Elouise Underwood then tore down the old house situated on the above described property and commenced work on a residence of their own situated thereon, which is now in the final stages of completion. Subsequently, Jimmy R. Underwood and Elouise Underwood conveyed said property back to Eugene Robinson and Elvie D. Robinson, affiant's present wife, who are the present owners of the property.

When affiant first purchased Parcel I and Parcel II above respectively in 1940 and 1946, as stated above, both of said parcels and the surrounding property was owned by Mattie Walker and husband, Ruben Walker, and was maintained and kept by them as a pasture for many years prior thereto, under fence and being grazed by the cattle of Mr. and Mrs. Walker for each and every year for several years. After the respective parcels were purchased by affiant in 1940 and 1946, affiant continued in the exclusive, notorious, continuous, adverse, hostile possession of the same for each and every year living in the house situated thereon and raising a garden and small livestock and farm animals on the same for each and every year up to and including the present time. There have never been any disputes or questions whatsoever concerning the occupation, use and possession or ownership of said property. No other person, firm, or corporation has been in possession of either Parcel I or Parcel II above, nor any part thereof other than affiant and his aforesaid predecessors in title for a period dating back for more than 30 years.

I am familiar with the property which is possessed and claimed by William H. McKenzie and know that the same does not touch or overlap on the above described property in any way. The property owned and possessed by James Taylor and Andrew Walker does not touch or overlap the above described property or any part thereof.

Sworn to and subscribed before me
this 24th day of April, 1971.

Eugene Robinson
Eugene Robinson

Donald A. Kuhn
Notary Public

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