

3692

STATE OF ALABAMA)

SHELBY COUNTY)

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

My name is Noma Joiner and I have been familiar with the occupation, use and possession of the hereinafter described property for a period in excess of 25 years, said property being situated in Shelby County, Alabama, and more particularly described as follows, to-wit:

A part of the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 16, Township 21, Range 1 West, more particularly described as follows: Commence at the NW corner of said NW $\frac{1}{4}$ and run thence in an easterly direction along the Northern boundary of said NW $\frac{1}{4}$ a distance of 1200 feet, more or less, to a point where the Northern boundary of said NW $\frac{1}{4}$ is intersected by the centerline of Bushy Prong Creek; thence turn to the right and run in a southerly direction along the centerline of Bushy Prong Creek following the meanderings thereof a distance of 600 feet more or less, to a point where the centerline of said Bushy Prong Creek is intersected by the Northern edge of the paved portion of the Columbiana - Elyton Road, otherwise known as the Joinertown Road for point of beginning of the tract herein conveyed; thence turn to the left and run in a Southeasterly direction along the northern edge of the paved surface of said highway a distance of 320 feet to a point; thence turn an angle of 90 deg. to the left and run in a northeasterly direction a distance of 300 feet to a point; thence turn an angle of 90 deg. to the left and run in a westerly or northwesterly direction a distance of 285 feet, more or less, to a point in the center of Bushy Prong Creek; thence turn to the left and run in a southerly direction along the centerline of Bushy Prong Creek a distance of 300 feet, more or less, to point of beginning, containing 2 acres, more or less.

Subject to right of way for Highway.

The above described property is presently owned by Gene Joiner and wife, Sharon Joiner who received a deed to the same from the undersigned affiant and the heirs of Dewey Joiner, Deceased, which deed is dated April 5, 1971.

208 MAY 5 1971

The above described property is a small part of the property which was conveyed to Dewey Joiner in 1945, by deed from Ordice Rasco and wife, Trudie Rasco. From the time Dewey Joiner got his deed in 1945 to the above described property he remained in possession of the same for each and every year up until the time of his death in 1953. During each and every year from the time he received said deed up until his death he resided on said property with his family and farmed and cultivated said property. Said Dewey Joiner died without leaving a Last Will and Testament while a resident of Shelby County and was survived by affiant, his widow, and the following children: Ruby Moore, Lois Queen, Della Mae Hughes, Ellen Ruth Wheeler, Solon Joiner, Gene Joiner, Bobby Joiner, and Eddie Rondal Joiner.

I am familiar with the location of that certain property which was conveyed by

19710624000025790 1/2 \$.00
Shelby Cnty Judge of Probate, AL
06/24/1971 12:00:00 AM FILED/CERT

Milford Lee and wife, Johnnie Ruth Lee to Virgil Cardwell in April of 1959 by deed recorded in Deed Book 201, page 86, in the Probate Records of Shelby County, Alabama. Said property conveyed to Virgil Cardwell lies entirely West of Bushy Prong Creek and does not overlap or for that matter even touch any part or portion of the above described property. Neither Virgil Cardwell nor any of his predecessors in title have ever been in possession of any part of the first above described property and have never asserted any right, title, or interest therein. In fact, the heirs of Dewey Joiner including affiant, own additional property on the West side of Bushy Prong Creek which lies between the West line of the Gene and Sharon Joiner property and the East line of the Virgil Cardwell property.

North Joiner

Sworn to and subscribed before me

this 24 day of June, 1971.

Nancy L. Brasher
Notary Public



19710624000025790 2/2 \$.00
Shelby Cnty Judge of Probate, AL
06/24/1971 12:00:00 AM FILED/CERT

STATE OF ALA. SHELBY CO.
CLERK OF THE COURT
I HEREBY CERTIFY THIS
INSTRUMENT WAS FILED
1971 JUN 24 PM 2:42
U.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Dewey Joiner
JUDGE OF PROBATE

BOOK 268 PAGE 566