

4996

STATE OF ALABAMA)
SHELBY COUNTY)

19710920000039350 1/2 \$.00
Shelby Cnty Judge of Probate, AL
09/20/1971 12:00:00 AM FILED/CERT

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

My name is Andrew Johnson. I am 67 years of age. I have been familiar with
the occupation, use and possession of the hereinafter described property, situated
in Shelby County, Alabama, for a period in excess of 50 years; said property is more
particularly described as follows:

A part of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1, Township 21 South, Range 1 East,
Shelby County, Alabama, more particularly described as follows: Commence at the NE
corner of the E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1, Township 21 South, Range 1 East
and run thence West along the North line of said $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 335.23 feet
to the East line of a 15 foot easement; thence turn an angle of 90 deg. 01' 07" to the
left and run a distance of 85 feet to a point; thence continue in the same direction a
distance of 230.00 feet; thence turn an angle of 90 deg. 01' 07" to the right and run
a distance of 232.43 feet to the point of beginning of the land herein conveyed; thence
turn an angle of 89 deg. 58' 53" to the right and run a distance of 230.00 feet; thence
turn an angle of 90 deg. 01' 07" to the right and run a distance of 232.43 feet to a
point; thence turn an angle to the left and run Northerly parallel with the western
boundary of said $\frac{1}{4}$ $\frac{1}{4}$ Section and along the eastern boundary of a 15 foot easement to a
point on the Northern boundary of the said $\frac{1}{4}$ $\frac{1}{4}$ Section; thence turn to the left and run
westerly along the Northern boundary of said $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 330 feet, more
or less, to the Northwest corner of said $\frac{1}{4}$ $\frac{1}{4}$ Section; thence turn to the left and run
Southerly along the western boundary of said $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 315 feet to a
point; thence turn to the left an angle of 89 deg. 58' 53" and run easterly a distance of
97.57 feet to point of beginning.

Subject to 15 foot easement described in deed recorded in Deed Book 229, page 122, in
the Probate Records of Shelby County, Alabama.

The above described property is presently owned by Marvin Weaver Johnson and his
wife, Martha Jean Johnson and affiant is residing in a residence which is situated on said
property. In fact, I have lived with my family in the residence situated on said property
exclusively each and every year since February of 1954, when the same was purchased by
my son, Elwood Johnson. I can remember this property and have known the possession of the
same for each and every year since before 1920. When I first remember this property it
was owned by a negro man named Henry Garner who lived in the house on the property which
is the same house I now reside in. I do not know when the house was built but know that
it was built by Henry Garner prior to 1920. Henry Garner continued to live in the house
situated on said property and to possess said above described property and other
property which was owned in connection therewith for each and every year up until
Henry Garner and his wife sold the property to Ines G. McKinnon in 1942. Immediately
after Ines McKinnon purchased this property in 1942 she went into possession of the

same and moved into the residence situated thereon. She lived there several years and then moved to Montgomery. When she moved to Montgomery she rented the same out to various tenants continuously each and every year up until she sold the property and the residence to my son, Elwood Johnson in February of 1954. Immediately before my son, Elwood Johnson purchased this property it was occupied and possessed by Jim Hughes as a tenant of Ines McKinnon. As stated before, I have been in the continuous possession of the same since 1954 with permission from my son. The title was actually taken in the name of my son, Elwood Johnson, but was purchased jointly by my son, Elwood Johnson and my son, Marvin Weaver Johnson. Elwood Johnson and his wife have since executed deeds and the property is now owned by my son, Marvin Weaver Johnson and his wife, Martha Jean Johnson.

During the more than 50 years I have known the occupation, use and possession of the first above described property, it has been in the continuous, exclusive, notorious, adverse and hostile possession of Marvin Weaver Johnson and wife, Martha Jean Johnson and their aforesaid predecessors in title. There has never been any question or dispute whatsoever, concerning the occupation, use and possession of the same and the possession of such present owners and their predecessors has been definite and open. No other person, firm or corporation, other than the present owners and their predecessors have been in possession of the said property or any part thereof during the more than 50 years I have known the same. Neither Tint Merrell, Lillie Merrell, William T. Borden, Jackson Brothers Lumber Company, a Corporation, W. J. Weldon, nor E. H. Morris, nor any other person, firm or corporation has had any possession of said property or any part thereof during said period with the exception of the present owners and their predecessors in title.

Arden Johnson

Sworn to and subscribed before me
this 17th day of September, 1971.

Frank A. [Signature]
Notary Public

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STATE OF ALA. SHELBY CO.
NOTARY PUBLIC
INSTRUMENT WAS FILED
1971 SEP 20 AM 10:57
U.C.C. FILE NUMBER OR
REC. NO. & PAGE AS SHOWN ABOVE
JAMES LEITCHATTE