

STATE OF ALABAMA

SHELBY COUNTY

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Shelby Cnty Judge of Probate, AL  
01/07/1972 12:00:00 AM FILED/CERT

Before me, a Notary Public in and for said County and State, personally appeared Hansel Cater, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is Hansel Cater. I am 63 years of age and reside at Route 1, Box 21, Harpersville, Shelby County, Alabama.

I have been familar with the ownership and possession of the following described property all of my life and as far back as I can remember:

The S $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 5, Township 20 South, Range 2 East.

The N $\frac{1}{2}$  of NE $\frac{1}{4}$  of Section 8, Township 20 South, Range 2 East.

The SW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 8, Township 20 South, Range 2 East, situated in Shelby County, Alabama.

Said property was originally owned by my grandfather, F. P. Cater, and after his death, was owned by his children, one of whom was my father.

I have previously made an affidavit about this property and about my grandfather and his family, as shown at Deed Book 165, page 188, Office of Judge of Probate of Shelby County, Alabama.

My wife, Ella Mae Cater, and I are the owners of said property, and we live and reside in the same house which was situated on said property when I first remember as a child and which was my said grandfather's home. Said house has been standing continuously for more than sixty years, to my own personal knowledge. I was born in another house which was situated on said property and which stood continuously until about a year ago, when it burned. My wife and I lived in said

house which burned about a year ago from the time of our marriage in 1929 until 1942, when we moved in the original home of my grandfather mentioned above, and we have lived continuously in said original home of grandfather until the present date.

My brother and I acquired the complete title to the above described property from the heirs of my grandfather during the early 1940's, and I subsequently obtained a deed from my brother for his interest in the property in 1954.

For as long as I can remember, the above described property, and various portions of it, have been in cultivation. Various portions of said property has been fenced and cross fenced for as long as I can remember.

It has been pointed out to me that Deed Book 27, page 366, Office of Judge of Probate of Shelby County, Alabama, shows a deed to T. G. Florey in 1904 which describes the North Half of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 5, Township 20, Range 2 East, and another deed recorded in Deed Book 90 at page 456 is shown to E. E. Florey in 1929 covering the same 20 acre parcel. Said deeds were evidently erroneous, as neither said T. G. Florey, nor said E. E. Florey, nor any other persons have ever claimed or possessed any part of said property for as long as I can remember, other than my wife and I, and our predecessors in title.

Some of my aunts and uncles, namely, S. M. Cater, W. A. Cater, J. T. D. Cater, and Mary E. Hitchcock conveyed their undivided interests in said property after the death of my said grandfather to the other heirs of my said grandfather, said deeds from said persons all being dated more than seventy years ago and shown in Deed Book 82, pages 257, 258, 259, and 260 in said Probate Office, and none of said persons, nor their heirs at law and next of kin, have ever owned, claimed, or possessed any





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interests in said property since they executed said deeds.

My said wife and I, and our predecessors in title, as designated herein, have been in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of all of said property to my own personal knowledge for the past sixty years, during which time no other persons or corporations have claimed or possessed any interest whatsoever in said property.

Hansel Cater  
Hansel Cater

Sworn to and subscribed before  
me this 7<sup>th</sup> day of January, 1972.

Mary D. Thompson  
Notary Public

STATE OF ALA. SHELBY CO.  
CERTIFY THIS  
INSTRUMENT WAS FILED  
1972 JAN - 7 AM 9:50  
U.C.C. FILE NUMBER OR  
REC. BK. & PAGE AS SHOWN ABOVE  
Consolidated  
JUDGE OF PROBATE

STATE OF ALABAMA  
SHELBY COUNTY

Before me, a Notary Public in and for said County and State, personally appeared Ella Mae Cater, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is Ella Mae Cater. I am 61 years of age and am the wife of Hansel Cater. I have read the above affidavit of said Hansel Cater, and I know that the facts therein stated, as they pertain to said property as described in said affidavit, are true and correct as said facts are applicable since 1929 when Hansel Cater and I were married and until the present date.

Ella Mae Cater  
Ella Mae Cater

Sworn to and subscribed before me  
this 7<sup>th</sup> day of January, 1972.

Mary D. Thompson  
Notary Public