

STATE OF ALABAMA)

SHELBY COUNTY)

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Shelby Cnty Judge of Probate, AL
02/24/1972 12:00:00 AM FILED/CERT

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

My name is Willie Viola Johnson Frost and I am now and have been for more than 20 years a resident citizen of Shelby County. I have been familiar with the occupation, use and possession of the hereinafter described property for a period in excess of forty years, said property being situated in Shelby County, Alabama, and more particularly described as follows, to-wit:

A part of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 35, Township 21 South, Range 3 West, described as follows: Commence at the NW corner of said $\frac{1}{4}$ $\frac{1}{4}$ Section and run in an Easterly direction along North line of said $\frac{1}{4}$ $\frac{1}{4}$ Section for a distance of 234 feet to the point of beginning of tract herein described; thence run South 420 feet; thence run East and parallel with North line of said $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 420 feet; thence run North 420 feet to the North line of said $\frac{1}{4}$ $\frac{1}{4}$ Section; thence run West along the North line of said $\frac{1}{4}$ $\frac{1}{4}$ Section a distance of 420 feet to point of beginning. Excepting Highway right of way.

The above described property is presently owned by W. A. Nelson and wife, Verla Nelson, said Verla Nelson being one in the same person as referred to as Berla Nelson in the deed by which the land was purchased by Mr. and Mrs. Nelson. W. A. Nelson and wife, Verla Nelson purchased the above described property in 1955 by deed from Algic Gray and wife, Onilla Gray. There was not a house on the above described property at the time Mr. and Mrs. Nelson purchased the same but they constructed a house thereon shortly after they purchased the property in 1955. I would say that the house was definitely constructed in less than 2 years after they purchased the same. Immediately after the house was constructed W. A. Nelson and wife, Verla Nelson moved into the house situated on the above described property and have resided in said house for each and every year continuously and exclusively ever since. Mr. and Mrs. Nelson have been in possession of said property and each and every part thereof up to the outermost boundary lines of said property for each and every year for more than the past 15 years. No other person, firm, or corporation has been in possession of the same nor any part thereof or asserted any right, claim or interest to said property other than W. A. Nelson and wife, Verla Nelson since 1955.

I am a daughter of H. L. Johnson who purchased the above described property as a part of a larger tract by deed from W. C. Underwood and A. J. Underwood in or about 1911. Said H. L. Johnson died while a resident of Shelby County, Alabama, prior to 1936. The said H. L. Johnson did not leave a last will and testament. At the time of his death said H. L. Johnson was married to Mrs. H. L. Johnson who was one in the same person as Johnie Hughes Johnson, my mother. The only children ever born to H. L. Johnson were born to the

said H. L. Johnson and my mother, Johnie Hughes Johnson, who also signs as Mrs. H. L. Johnson. On January 6, 1936, the heirs of H. L. Johnson attempted to convey the above described property along with other property to James V. French. The deed was later corrected by a deed of correction which was dated October 28, 1940, and which I understand is recorded in the Probate Records in Columbiana, Shelby County, Alabama. Said H. L. Johnson and my mother had ten children during their lifetime. Seven of these children were living on October 28, 1940, when the deed of correction was executed. The seven children of H. L. Johnson who were living on October 28, 1940, were as follows: Joseph Scott Johnson, Samuel Freckerick Johnson, Mary Caroline Johnson Frost, Annalee Johnson Frost, Cecil Leven Johnson, Henry Hillman Johnson, and affiant. One of the children of H. L. Johnson and my mother died when said child was approximately three years of age. Another brother of affiant and the son of H. L. Johnson and my mother was Wheeler Johnson who died in 1935 without leaving a last will and testament and without ever having any children. The said Wheeler Johnson was survived by Betty Johnson, his widow, who was sometimes referred to as Bessie Johnson. The only other child which H. L. Johnson and my mother ever had was Eula Johnson Thomas who died without leaving a last will and testament prior to October 28, 1940, and was survived by Viola Frueauff and Louise Thomas Kolkmeier.

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Willie Viola Johnson Frost
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Sworn to and subscribed before me
this 21st day of February, 1972.

Alice N. Jones
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1972 FEB 24 PM 1:40
U.C.C. FILE NUMBER 03
REC. BK. & PAGE AS SHOWN ABOVE
Candice M. Jones
JUDGE OF PROBATE

BOOK 272 PAGE 730