

STATE OF ALABAMA
SHELBY COUNTY

19720308000012430 1/3 \$.00
Shelby Cnty Judge of Probate, AL
03/08/1972 12:00:00 AM FILED/CERT

Before me, the undersigned authority in and for said County, in said State, personally appeared R. L. Merrell, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is R. L. Merrell. I am 81 years of age and have been familiar with the hereinafter described land all of my life. Said land being described as follows:

The E $\frac{1}{2}$ of NW $\frac{1}{4}$, Section 7, Township 22 South, Range 1 East, Shelby County, Alabama, except for 8 acres in NE corner thereof.

The heirs of C. A. Merrell, deceased, made a deed covering said land to Fanny B. Seale on December 30, 1894, as shown by Deed Book 118 page 416 in the Probate Office of Shelby County, Alabama. At that time Adlaid C. Merrell was a widow. Affiant says Barney Armstrong was the father of Sam Thomas Armstrong and he apparently signed the deed for his son who was under age. Affiant says Fanny B. Seale went into immediate possession of the land in 1894 and lived in the house situated on the south forty and had parts of the land fenced in for pasture purposes. The said Fanny B. Seale lived on the place until 2 or 3 years before her death and she died on July 4, 1951. After her death, the heirs of Fanny B. Seale conveyed the property to Mary Ella Merrell, who was affiant's sister, in consideration of a claim she had against the estate for \$2500.00. It is my understanding that all the heirs of Fanny B. Seale, being also known as Belle Seale, agreed to execute the deed and did sign the same or have it signed by someone for them, but affiant knows that the land was not the homestead of any of the parties signed the deed and none of the parties signing the deed in 1951 made any claim to the land since that time whatever. Mary Ella Merrell rented the house out from time to time and stored furniture in a portion of it. She sold the same to R. L. Merrell in 1959 as shown by deed recorded in Deed Book 203 page 62 in said Probate Office. Ella Merrell who signed said deed is one and the same as Mary Ella Merrell. Affiant says since he purchased the land he has gone upon it from time to time and checked it to see that no one trespassed upon the same or cut any timber and no one has ever made any claim to it during all the years he has owned the same except for him and his said predecessors in title as mentioned above. Affiant says he sold the timber some 5 or 6 years ago.


Affiant further says the 8 acre parcel excepted from the above description which 8 acres is situated in the northeast corner of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7, Township 22, Range 1 East was owned by Mullins when he first remembers the same and that Mullins built a house on the land and lived there for some time and then moved to Texas and sold the land to Lucy Smedley. She owned and occupied it until the house got in such a bad state of repair, she had to move out and she let the

land sell for its taxes in 1956 and Thurman Juzan purchased the same at the sale. On March 30, 1961, I purchased said 8 acres from Thurman Juzan and his wife and have been in possession of it along with the other land described above since that time and have also cut the timber from this parcel.

Affiant says the Madora Curlee or W. T. Arnett land referred in deed recorded in Deed Book 75 page 187 in said Probate Office adjoins the above described land, but does not overlap it at any place, and that said deed just contained an error in description.

R. L. Merrell

Sworn to and subscribed to before me
this the _____ day of December, 1966.


19720308000012430 2/3 \$.00
Shelby Cnty Judge of Probate, AL
03/08/1972 12:00:00 AM FILED/CERT

Notary Public

State of Alabama

Shelby County



19720308000012430 3/3 \$.00
Shelby Cnty Judge of Probate, AL
03/08/1972 12:00:00 AM FILED/CERT

Before me, the undersigned authority in and for said County in said State, personally appeared Ben Ruston, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is Ben Ruston. I am 80 years of age and have all my life been familiar with the property described in the foregoing affidavit of R. L. Merrell, and I knew the Seale heirs and know that the matters and things mentioned in said affidavit are true and correct.

Ben Ruston
Ben Ruston

Sworn to and subscribed to before me
this the 1st day of December, 1966.

Martha B. Joener
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1972 MAR - 8 AM 10:32
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Carol M. Joener
JUDGE OF PROBATE