



1972041100000140 1/2 \$ .00  
Shelby Cnty Judge of Probate, AL  
04/11/1972 03:10:27 PM FILED/CERT

8444  
STATE OF ALABAMA )

SHELBY COUNTY )

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

My name is Rosa G. Wooley and I reside at Montevallo, Alabama. I am 76 years of age and have been familiar with the occupation, use and possession of the hereinafter described land for a period in excess of forty years, said property is situated in Shelby County, Alabama, and is more particularly described as follows:

A part of the SW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 16, Township 22 South, Range 3 West, described as follows: Commence at the SW corner of said  $\frac{1}{4}$   $\frac{1}{4}$  Section and run East 545 feet; thence run North 824 feet to point of beginning; thence run South to North line of Montevallo-Ashville Road; thence Northeasterly along said road 170 feet; thence run Northwesterly 177 feet more or less to point of beginning. Except Highway right of way.

When I first remember the above described property it was owned by the heirs of Frank Moody, Sr. Frank Moody, Sr. had died intestate or without last will and testament some time prior to 1923 and his heirs and widow were in possession of the property. There was no house actually located on the property described above at that time but the Moody heirs, and Mr. Moody before them, had farmed the property, cultivated the same, and it was generally recognized throughout the community that they were the owners of the property. On August 31, 1923, Laura Moody, a widow, George W. Moody and wife, Fanny Moody, Frank W. Moody, Jr. and wife, Mattie Moody, Isaac Moody and wife, Dessie Moody, William Moody and wife, Susie Moody, Odie Moody, Burke Moody, J. A. Cunningham and Susie Cunningham, Arthur Holcombe and wife, Ida Lee Holcombe, C. L. Arnold and wife, Lillie Arnold, and S. J. McGaughy and wife, Etta McGaughy, and Seamon Moody, a single man, who constituted all of the heirs and next of kin and only heirs of Frank Moody, Sr., conveyed the above described property to J. C. Wooley by deed recorded in Deed Book 77, page 441, in the Probate Records of Shelby County, Alabama. I, at said time, was married to <sup>H</sup> O. Wooley, otherwise known as Harvie O. Wooley, who was a son of J. C. Wooley. Immediately after J. C. Wooley purchased said property in August of 1923 from the Frank Moody heirs he went into possession of the same, farming and cultivating the property and raising crops thereon for each and every year from the time he purchased the property up until he died in about 1940 or thereabouts. J. C. Wooley and his wife conveyed a lot to John M. Wooley by deed dated September 2, 1937, and recorded in Deed Book 100, page 441, in the Probate Records of Shelby County, Alabama. The lot thus conveyed to John M. Wooley lies Easterly along the Montevallo - Ashville Road from the property first above described and does not overlap or conflict with the property to any extent. The same is true about the lot sold by John M. Wooley to P. H. Wooley by deed dated August 23, 1939 and recorded in



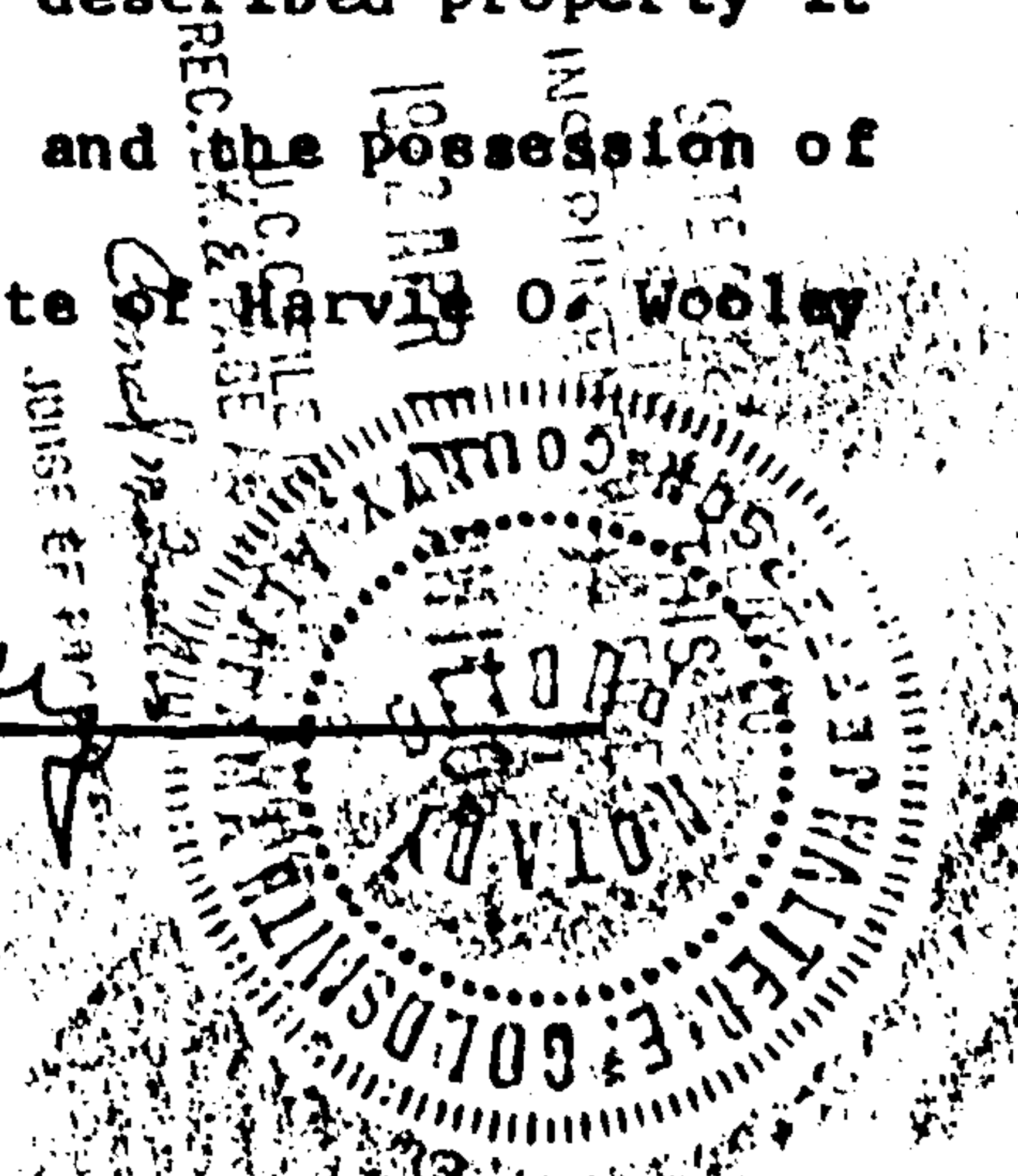
Deed Book 120, page 57. Both of these lots actually lie to the East and along the Montevallo-Ashville Road from the above described property.

As aforesaid, J. C. Wooley died without leaving a last will and testament about 1940. J. C. Wooley was a resident of Shelby County at the time of his death. From the time of the death of said J. C. Wooley up until December of 1945, one or more of the J. C. Wooley heirs were in possession of the above described property and cultivated the same and raised crops on the property for each and every year continuously and exclusively until December of 1945. In December of 1945 all of the heirs at law of J. C. Wooley and their spouses conveyed the above described property together with other property to my husband, H. O. Wooley by deed which is recorded in Deed Book 125, page 202, in the Probate Records of Shelby County, Alabama. At the time my husband received a deed to this property in 1945 we owned the lot lying along the Montevallo-Ashville Road and immediately East of the first above described property. We actually had a house on that lot and were living in the house at that time. We thereafter moved into the St. George Hotel in Montevallo which we were operating and resided there some eight years. During this time we rented out the house lying immediately East and along the Ashville Road from the above described property during each of those years we lived in the Hotel. In or about 1952 my husband and I commenced the construction of a residence or dwelling on the first above described property which house was completed in about 1953. In fact, I believe that we moved into the house on July 4, 1953. This house is still located on the first above described property and my husband and I lived in the house for each and every year up until the time of his death in 1956. My husband left said property to affiant by his last will and testament and I have continued in the possession of the same up to and including this time. In fact, I have lived in the house situated on the first above described property and occupied the same for each and every year from the time of my husband's death in 1956 up to and including the time of the execution of this affidavit. There have never been any disputes whatsoever concerning the occupation or ownership, use or possession of the above described property and it is recognized throughout the community as being the property of affiant. During the more than forty years I have known the occupation, use and possession of the above described property it has been in my continuous, exclusive, adverse, hostile, possession and the possession of my aforesaid predecessors in title. All of the claims in the estate of Harvey O. Wooley or H. O. Wooley have been paid.

Sworn to and subscribed before me  
this 1 day of April, 1972.

My Comm. Notary Public

Rosa H. Wooley



BOOK 273 PAGE 687