

STATE OF ALABAMA .

SHELBY COUNTY

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

My name is Adrian Woolley, Sr.. I am 68 years of age and reside at Route 8, Box 1120, Ashville, North Carolina.

I am a brother of Carrie Mae Woolley, deceased, and am presently serving as Executor of the Last Will and Testament of Carrie Mae Woolley, deceased, by order of the Probate Court of Shelby County, Alabama.

D. D. Woolley, or Dave Woolley, as he was commonly known, was my father, and Zuella Woolley was my mother; both said D. D. Woolley and said Zuella Woolley have been dead for many years.

Our family name "Woolley" has been variously spelled and misspelled throughout the years, sometimes being spelled "Wooly", "Wooley" and "Woolly", but the correct spelling, as stated, is "Woolley".

My said father and mother had only seven children ever born of them, namely, myself, Adrian Woolley, Sr. (or, as I am sometimes known, A. R. Woolley), P.E. Woolley, R. L. Woolley, J. E. Woolley, A. D. Woolley (or Aubrey Woolley, as he was sometime known), Lanier Woolley, and our sister, Carrie Mae Woolley, who is deceased. Said Lanier Woolley is also deceased, he having died as an infant, and said A. D. (Aubrey) Woolley is also deceased. Said Aubrey Woolley had only one child ever born of him, namely, Nancy Woolley Clark.

My said father was the owner of two parcels of real estate situated in Wilton, Shelby County, Alabama, during his lifetime, said parcels being described as follows:

PARCEL ONE

Begin at the NW corner of Lot 15 in Block 3, as shown on map of J. E. Bozeman, Civil Engineer, as prepared for Maj Joseph Hardie, being the map of One Hundred Acres at Birmingham Junction on E.T.V. and G Railroad, said map being recorded in Map Book 14 at page 239, Office of Judge of Probate of Shelby County, Alabama, and run thence South along the West line of said Lot 15 260 feet; thence run East 1100 feet to the Montevallo (Old Selma Road); thence run along said Montevallo Road to the intersection thereof with the South side of Birmingham Street, as shown on said map of C. E. Bozeman; thence run along the South side of said Birmingham Street (and along the North lines of Lots 31, 29, 27, 25, 23, 21, 19, 17, and 15 to the point of beginning, and containing 8 acres, more or less.

PARCEL TWO

Begin at a point 260 feet South of the Northwest corner of Lot 15 in Block 3, as shown on said map of J. E. Bozeman recorded in Deed Book 14 at page 239, Office of Judge of Probate of Shelby County, Alabama, and run thence South along the West line of Lot 15 and along the West line of Lot 16 566 feet and 8 inches to the Southwest corner of said Lot 16; thence run East along the South lines of said Lot 16, Lot 18, and Lot 20 in said Block 3 to said Montevallo (Old Selma Road); thence run Northeasterly along said Montevallo Road to an iron stake (being the Southeast corner of Parcel One, as described above); run thence West 1100 feet along the South line of said Parcel One to the point of beginning, and containing 8 acres, more or less.

My said father bought said Parcel One from Maj. Joseph Hardie in 1911, as shown by deed recorded in Deed Book 51 at page 513, Office of Judge of Probate of Shelby County, Alabama, and he bought said Parcel Two from J. T. Burnett in 1928. Said Parcel One and said Parcel Two join each other and lie adjacent to and contiguous to each other, the South line of said Parcel One being the North line of said Parcel Two.

It has been pointed out to me that the descriptions contained in the old original deeds to my father mistakenly / ^{shows that} that said property lies in Block No. 2 of said subdivision prepared by J. E. Bozeman and recorded in Deed Book 14 at page 239, Office of Judge of Probate of Shelby County, Alabama, whereas said property actually lies in Block No. 3 / ^{of} said subdivision. It is obvious, by looking at a copy of the map of said subdivision, that a typographical error was made years ago in the description of said parcels and that said parcels do actually lie in Block 3 of said subdivision.

After the death of my said father, D. D. (Dave) Woolley, my said mother and the surviving children of my said father conveyed said Parcel One and Parcel Two to our only sister, Carrie Mae Woolley, in May, 1946, as shown by deed recorded in Deed Book 138 at page 293, Office of Judge of Probate of Shelby County, Alabama, and it has also been pointed out to me that said deed to said Carrie Mae Woolley as recorded in the Office of the Judge of Probate of Shelby County, Alabama, contains an error in the description of said Parcel Two, in that a line of the description was left out or omitted: this error was an error in copying the description from the original deed on the records in the Office of the Judge of Probate of Shelby County, Alabama, as the original deed to said Carrie Mae Woolley did not contain said omission. I have the original deed to said Carrie Mae Woolley which I am attaching to this affidavit as Exhibit "A", and by reference hereto am making the same a

part hereof, and which shows that the description as contained in said original deed does not have said omission. Said Parcel One and Parcel Two lie South of Birmingham Street and North or Northwest of the Old Montevallo-Selma Road, the Northeast corner of said property being at the intersection of said Birmingham Street and said Old Montevallo-Selma Public Road. Said Birmingham Street is a public street of the Town of Wilton, and said Old Montevallo-Selma Road has been a public highway for as long as I can remember, it having originally been an old dirt road but has since been widened and paved. The location of said Old Montevallo-Selma Public Road has remained the same in the vicinity of Parcel One and Parcel Two as described above, the location of the old unpaved road as I knew it as a child being entirely within the right of way of the present road after it has been widened and straightened and paved along the Southeast boundary of said Parcel One and Parcel Two.

I remember as a child when my father bought Parcel One in 1911, and I remember when he built the house on said Parcel One which is still standing. My said father built said house shortly after he bought the property in 1911, and we moved in said house in 1912, and I grew up as a child in said house on said Parcel One and knew the same as my home until I left home as a young man.

I remember when my Uncle, N. F. Cox bought Parcel Two in 1911 at the same time when my father bought Parcel One. My mother and Linnie Cox, who was the wife of said N. F. Cox, were sisters, and my said Aunt and Uncle built a house on Parcel Two shortly after my said Uncle bought said property and lived in said house on said Parcel Two until they sold and conveyed said property to J. T. Burnett, ^{in 1927.} Said J. T. Burnett sold and conveyed said Parcel Two to my father a little over a year later, in 1928, and my father and mother rented the house on said Parcel Two to various tenants throughout the years until it burned, in the 1950's.

My said father and mother occupied said Parcel One, and the house which they built thereon, as their actual residence homestead dwelling from 1912 until the death of my said father, which occurred in July, 1943. As stated, My said father had bought Parcel Two in 1928 and had brought said Parcel Two into his homestead property at that time, actually occupying Parcel One and Parcel Two as his homestead property from 1928 until his death in 1943. As stated above, after the death of my said father in 1943, my mother and all



of the children conveyed said property to my sister, Carrie Mae Woolley, as shown by the deed attached hereto as Exhibit "A", and said Carrie Mae Woolley continued residing in the house on Parcel One, occupying said Parcel One and Parcel Two as her homestead property until her death which occurred on October 31, 1975. My said mother, Zuella Woolley, continued to live in said house with my sister until the time of her death, which occurred in August, 1964. My brother, A. D. Woolley, or Aubrey Woolley, as he was known, died in November, 1968.

Both Parcel One and Parcel Two have been variously fenced and cross-fenced by our family throughout the years, some of the old fencing still being in place, and other parts of said fencing having rotted away.

My said sister, Carrie Mae Woolley, and my mother, Zuella Woolley, executed a deed for a portion of Lot 15 of Block No. 3 of said survey of J. E. Bozeman, to Southeastern District of the Christian and Missionary Alliance, a corporation, 1956, to be used as a rest home for missionaries of said organization and to be used as a Church site of said organization. The deed to said organization is recorded in Deed Book 185 at page 38, Office of Judge of Probate of Shelby County, Alabama, and said deed does provide a reverter clause specifying that said property should revert back to my said sister and mother and become their property if said land failed to be used for said purposes. As a matter of fact, said property was never used to provide a rest home for missionaries of said organization, but a very rough small wood frame building was built shortly after said deed was executed, but it rotted down/^{or} was torn down, after a very short period of time when it was not used. Said property has not been used at all by said organization to my knowledge or any members thereof or any persons connected therewith in any way for at least the past fifteen or more years. I am attaching hereto as Exhibit "B", and by reference hereto am making the same a part hereof, a letter to my said sister, Carrie Mae Woolley, dated February 15, 1967, from T. G. Mangham, Superintendent, The Christian and Missionary Alliance relative to said property and the fact that said organization abandoned said property shortly after said deed of December, 1956; I found this letter among my sister's possessions after her death. The children of my said mother, Zuella Woolley, executed a deed to said Carrie Mae Woolley after my mother's death covering said Parcel, in order to convey any title

that my said mother may have taken after said parcel reverted back to my said sister and mother, as provided in said deed recorded in Deed Book 185 at page 38 in said Probate Office; said deed from my mother's next of kin to said Carrie Mae Woolley is recorded in Deed Book 258 at page 846 in said Probate Office.

I know of my own personal knowledge that my said father, D. D. Woolley, and his successors in title as designated herein as to Parcel One, and my said Uncle, N. F. Cox, and his successors in title as designated herein as to Parcel Two, have been in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of said Parcel One and said Parcel Two since 1911 and until the present date. I have maintained close contact with my father and mother and my sister, Carrie Mae Woolley, visiting them and visiting said property on frequent occasions through the years, it having been my homeplace as a boy, and I have never heard of anyone question their title or possession of said property.

I knew Henry C. Lucas and believe that he is probably still living. I remember when I was a child that he bought two lots across Birmingham Street, in Block No. 1, of the J. E. Bozeman Survey as shown in Map Book 14 at page 239, Office of Judge of Probate of Shelby County, Alabama. Said Henry C. Lucas lived in a house on said property for many years, and he or his family may still live there; as stated, said property is across the street, to the North, of said Parcel One and Parcel Two as described in this affidavit. Likewise, the property which was conveyed to the Town of Wilton in 1937 (being a small lot, about 50 feet square) lies to the North of said Parcel One and Parcel Two and across Birmingham Street; this lot was for the Wilton Water Works project.

Adrian T. Woolley, Sr.
Adrian Woolley, Sr.

Sworn to and subscribed before me

this 17 day of January, 1977.

David W. Barker
Notary Public; Beauregard County, A.C.

My Commission expires: 8-3-1980



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Shelby Cnty Judge of Probate, AL
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Shelby Cnty Judge of Probate, AL
01/31/1977 12:00:00 AM FILED/CERT

Value 15000.00

STATE OF ALABAMA,
SHELBY COUNTY.....



THIS INDENTURE, made and entered into on this the ____ day of May, 1946, by and between the undersigned, Zuella Woolly, the widow of Dave Woolly, being the one and same person as D.D. Woolly, deceased, P.E. Woolly and wife, Nettie Lou Woolly, R.L. Woolly and wife, Azalia Woolly, A.R. Woolly and wife, Nell Woolly, A.D. Woolly and wife, Ruby Woolly, and J.E. Woolly and wife, Vivian Woolly, party of the first part, and Carrie Mae Woolly, the party of the second part; the party of the first part and the party of the second part being the widow and all of the heirs at law and next of kin of D.D. Woolly, being one and the same person as Dave Woolly, now deceased,

WITNESSETH, That the said party of the first part, for and in consideration of the sum of ONE DOLLAR and other valuable considerations, in hand paid to them by the party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, and sold, and by these presents does grant, bargain, sell, and convey unto the said party of the second part, her heirs and assigns, the following described property, situate, lying, and being in the County of Shelby, State of Alabama, to wit:

That certain tract of land beginning at a point 260 feet South of the Northwest corner of Lot 15, in Block 2, as shown on map of J.E. Boseman, and run thence South 566 feet and 8 inches to the Southwest corner of Lot 16; run thence East to the Montevallo dirt road; run thence along said road to an iron stake; run thence West 1100 feet to the point of beginning, and containing 8 acres, more or less. Situated in Shelby County, Alabama.

Also, that certain parcel of land described as beginning at the Northwest corner of Lot 15 in Block 2, as shown on map of I.E. Boseman, and run thence South 260 feet; run thence East 1100 feet to the Montevallo road; thence along said Montevallo road to the South side of Birmingham Street; run thence along the South side of Birmingham Street to the point of beginning and containing 8 acres, more or less, and all situated in Shelby County, Alabama.

The above described lands constitute no part of the homestead of either of the parties of the first part.

TO HAVE AND TO HOLD, the said above described lands unto the said party of the second part, together with all and singular the tenements, heriditaments, and appurtenances thereunto belonging , or in anywise appertaining and unto her heirs and assigns in fee simple.

It is agreed between the party of the first part and the party of the second part that Zuella Woolly shall have the right to the use, possession and profits of the above described lands during her natural life.

WITNESS our hands and seals this the ____ day of May, 1946.

A. R. Woolley (SEAL).
Nell Woolley (SEAL).
J. E. Woolley (SEAL).
Vivian Woolley (SEAL).
Aubrey D. Woolley (SEAL).
B. W. Horton Woolley (SEAL).
F. E. Woolley (SEAL).
Nettie Lou Woolley (SEAL).
E. L. Woolley (SEAL).
Malie H. Woolley (SEAL).
Zuella Woolley (SEAL).

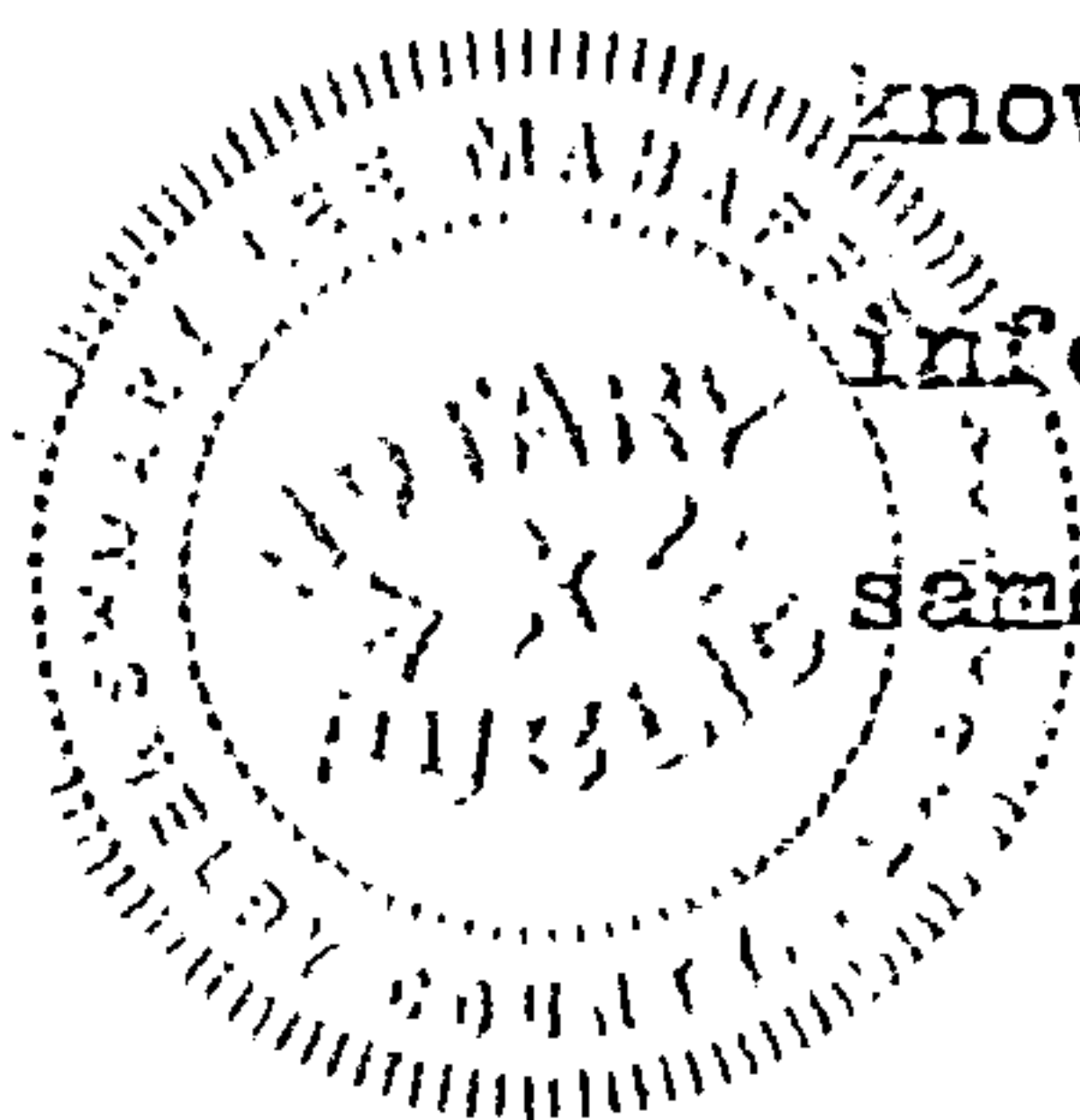
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Shelby Cnty Judge of Probate, AL
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STATE OF ALABAMA, I
SHELBY COUNTY.....I

Mary Le Mahaffey

I, L.E. Shaw, a Notary Public and Ex Officio Justice of the Peace, in and for said County, in said State, hereby certify that P.E. Woolly and wife, Nettie Lou Woolly, R.L. Woolly, and wife, Azalia Woolly, and Zouella Woolly, the widow, whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand this the 20th day of Sept, 1948.



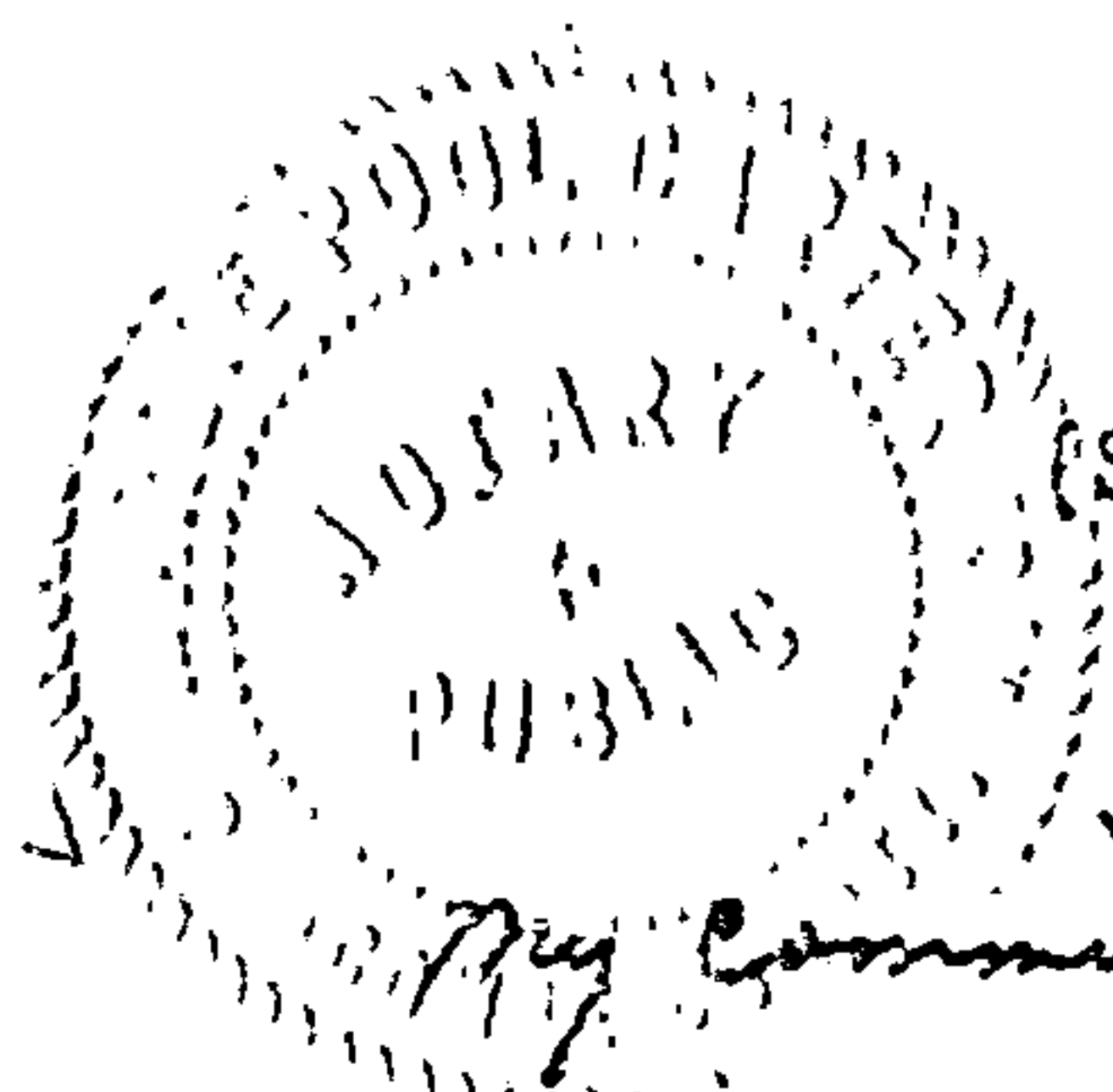
My Commission
expires Nov. 15, 1951

Mary Le Mahaffey
Notary Public, and Ex Officio
Justice of the Peace, Shelby
County, Alabama.

STATE OF NORTH CAROLINA, I
BUNCOMBE COUNTY.....I

I, Margie Pool Carter, a Notary Public, in and for said County, in said State, hereby certify that A.R. Woolly and wife, Nell Woolly, and J.E. Woolly and wife, Vivian Woolly, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that being informed of the contents of this conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand, this the 21 day of June, 1946.



(SEAL).

Margie Pool Carter
Notary Public, Buncombe County,
North Carolina.

My Commission Expires Nov. 14, 1949



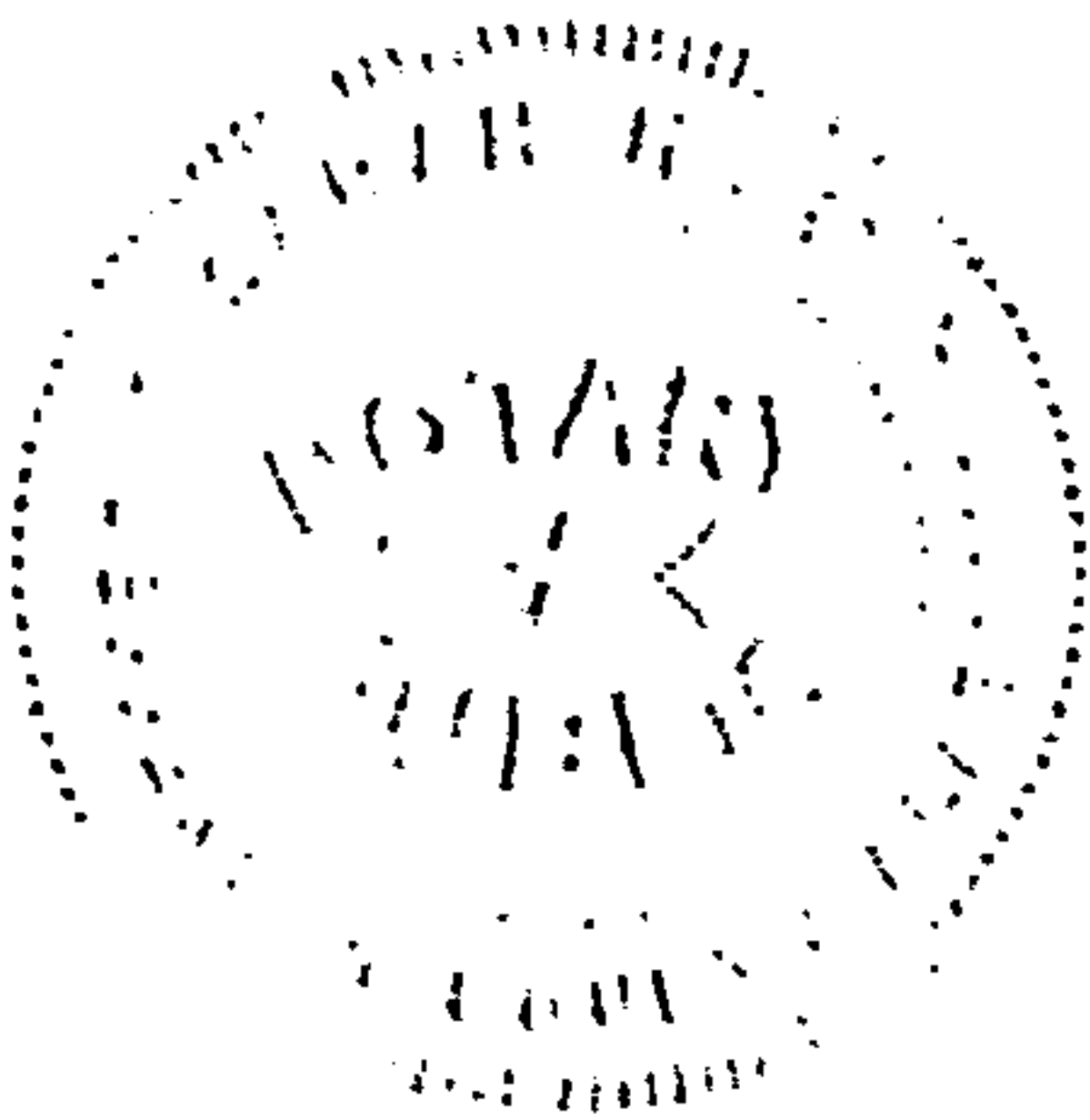
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STATE OF ALABAMA,
JEFFERSON COUNTY...

I, Sarah J. Hart, a Notary Public, in and for said County, in said State, hereby certify that A.D. Woolly and wife, Ruby Woolly, whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day, that being informed of the contents of this conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand this the 21st day of Aug, 1948.

Sarah J. Hart
Notary Public, Jefferson
County, Alabama.



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Shelby Cnty Judge of Probate, AL
01/31/1977 12:00:00 AM FILED/CERT

*Give to
Carrie M. Walker
Widow of
William O. Walker*

*J. D. Walker
666 N. 1st St
2,000*

470 500 118M

PAUL O LUCK
ATTORNEY AT LAW
COLUMBIA, ALABAMA

STATE OF ALABAMA)
SHELBY COUNTY)
I, L. C. Walker, Judge of Probate hereby
certify that the within *Deed* was
filed in this office for record the *10* day
of *May* 19*77* at *11* o'clock *A.M.*
and received *Deed* Record
page *293* and examined *D-12-41*
and the Mortgage Tax of \$
Deed Tax of \$ has been paid.
J. E. Walker
Judge of Probate
Fee \$

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Shelby Cnty Judge of Probate, AL
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BOOK 18



The Christian and Missionary Alliance

THE SOUTHERN DISTRICT • 525 HICKORY STREET • BIRMINGHAM, ALABAMA 35206 • PHONE 833-7838

February 15, 1967

Miss Carrie Mae Woolly
Wilton, Alabama

My Dear Miss Woolly:

Your request for a deed on the property you and your mother, Mrs. Zuella Woolly, so kindly deeded to the Southeastern District has been considered, and we think the property has probably already reverted to the donors. You realize that the District having jurisdiction over that area is now the Southern District.

When I showed the deed to our attorney and explained the circumstances to him, he suggested that this letter alone may be adequate to prove that the property goes back to the original grantors, their heirs and assigns. The last paragraph of the deed which is dated December 29, 1956, and is of record in Deed Volume 135, page 38 in the Probate Office of Shelby County, Alabama, reads as follows:

"Provided, however, that in the event said land is not used for the purposes herein named, then, in such failure of such use, the said land shall then revert to and become the property of the grantors named herein, or their heirs and assigns forever."

This property has not been used "for a rest home for missionaries" or a "church site", as provided in the deed since about 1957, and it would clearly "revert" under the provisions of the deed.

May I suggest that you take this letter to a lawyer of your own choosing and follow his advice. It is somewhat complicated and takes some



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time for an organization such as ours to handle a deed, and we trust this letter may be adequate when recorded.

This is to certify that we do not plan to use the property either for a church or for a rest home for missionaries. If you desire further assistance, please contact us.

Cordially yours,

[Signature]
L. G. Langston, Superintendent

lh

STATE OF ALABAMA
COUNTY OF SHELBY
INSTRUMENT WAS FILED

1977 JAN 31 AM 9:58

Thomas A. Brundage Jr.



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