

State of Alabama)  
County of Shelby)

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Shelby Cnty Judge of Probate, AL  
04/07/1977 12:00:00 AM FILED/CERT

Personally appeared before me, the undersigned authority, in and for said State and County Martha Elizabeth Nelson Hyde, who first being duly sworn deposes and says: My name is Martha Elizabeth Nelson Hyde and I am 43 years of age. I was born and reared in Shelby County, Alabama, and have lived across the street from or next to the property described below since I was 4 or 5 years old.

A part of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  of Sec. 5, Tp. 22, Range 3 West, Shelby County, Alabama, described as commencing at the crossing of the south right of way line of the Montevallo-Maylene-Dogwood Highway with the West right of way line of the Main Line of the Southern RR and run Southerly along said west right of way line of RR to the North right of way line of the Southern RR Spur that led to the Little Gem Coal Co. mine, which point is the point of beginning of the property described herein; then run westerly along said spur north right of way line to the East right of way line of the new Montevallo and Dogwood Highway; thence run southerly to the quarter-quarter section line along said highway east right of way line; thence run east along said Quarter-quarter section line to the said West right of way line of the Southern RR Main line; thence run north along said west right of way line of the Southern RR main line to the said point of beginning.

My husband and I built a home next to the property in 1965 and have reared our family there. Prior to that we lived across the street or highway from the property. My brother lives there now. I remember this land being referred to as the Benson tract of land and recall hearing my folkes say that Mr. Paul O. Luck had bought the property in 1946 and had come over and taken possession of it. I know of my own knowledge that in 1952 Mr. Luck claimed to own the property and was in possession of it. Everyone in the Dogwood community recognized the property as belonging to Mr. Luck. My husband and I were interested in buying the property and went to see Mr. Luck several times between 1952 and 1960 when he died. He told us he was not in a position to give us a good deed because he bought the land at a tax sale. He did let us pasture some cows on it. After Mr. Luck's death Mrs. Luck and Mr. Lucks daughter, Ruth Luck Gordon, owned the property and Mrs. Gordon's husband, Harris M. Gordon, looked after it. He came over here regularly to see about the property and looked after it even before Mr. Luck died. I recall that there was a serious forest fire in 1958 and Mr. Gordon came over to check on the damage done to the trees on the property. Mr. Gordon also rechecked the lines from time to time and in 1967 put up some ownership signs.

Harris M. Gordon & Corde

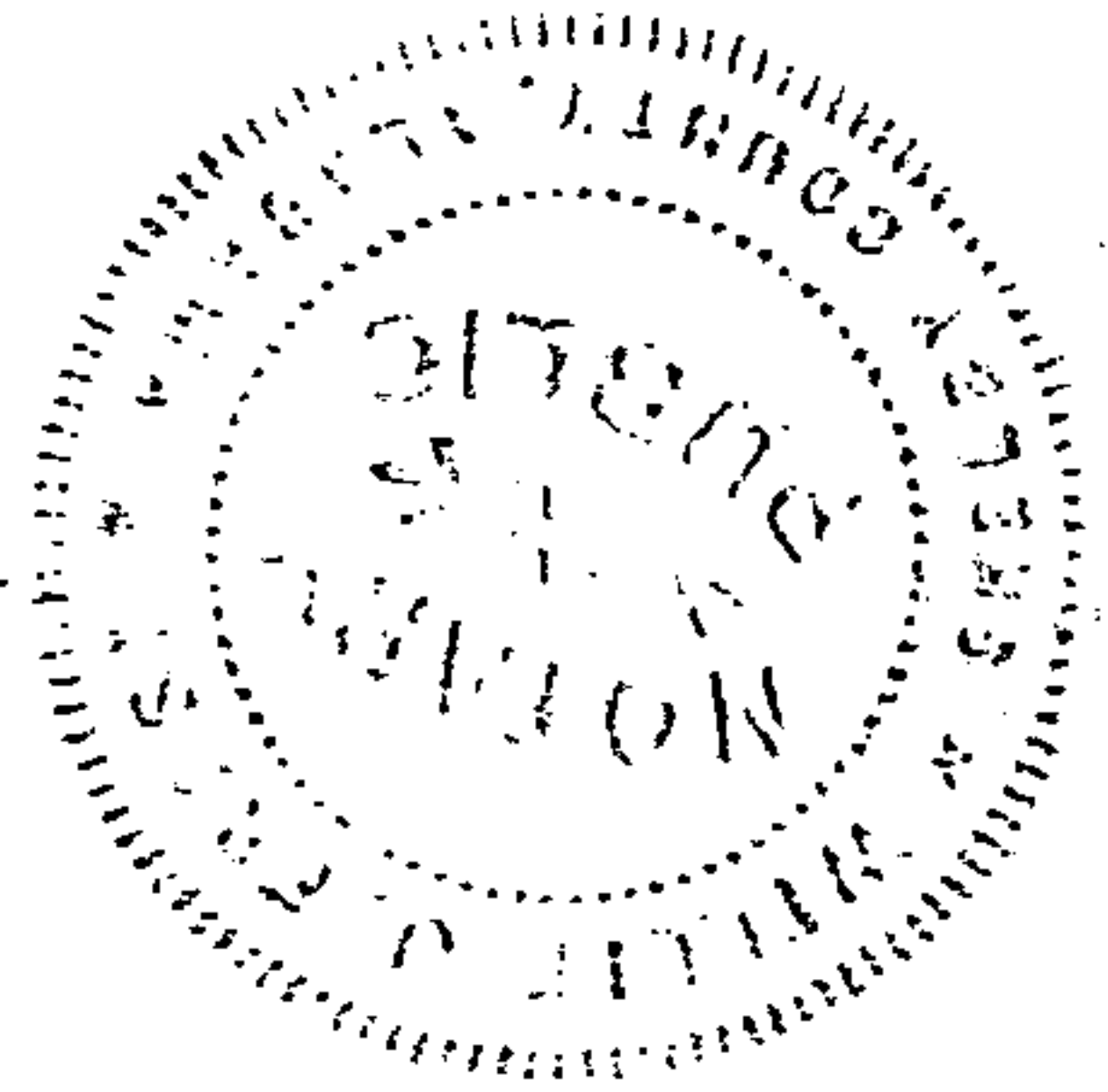


After Mr. Luck's death, my husband and I asked Mr. Gordon about the purchase of the property, and he gave us the same answer as Mr. Luck, but he did ask us to continue to look after the property for them and gave us permission to use it. On February 25, 1966, we entered into a written lease of the property from Mrs. Luck and the Gordons. We continued to use it and built a cow fence around it. This lease is still in effect. I know of my own knowledge that the possession of Paul O. Luck and then Clarice White Luck and Ruth Luck Gordon and then Ruth Luck Gordon has been open, actual, exclusive, continuous, adverse, hostile and notorious and that they have claimed the property as their own against the whole world. During this time I have heard of no one claiming this property except the foregoing parties.

*Martha Elizabeth Nelson Hyde*  
Martha Elizabeth Nelson Hyde

Sworn and subscribed to this 23 day of June, 1975.

*Walter J. Frost*  
Notary Public, Shelby County,  
Alabama



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Personally appeared before me, the undersigned authority in and for said State and County, George L. Hyde, who first being duly sworn, deposes and says: My name is George L. Hyde. I am 45 years old. I was born at Boothton, Shelby County, Alabama, and have lived in Shelby County, Alabama, all my life. Martha Elizabeth Nelson Hyde, who made the foregoing affidavit, and I were married in 1949, and are now living in our home next to the land described in her affidavit. I have read her affidavit and the statements made therein are true and correct. I know of my own knowledge that since 1949 Mr. Paul O. Luck and then his widow, Clarice White Luck and daughter, Ruth Luck Gordon and then Ruth Luck Gordon have claimed and been in possession of the aforementioned land and that their possession has been continuous,

open, adverse, actual, exclusive, notorious and hostile and that they have claimed the property as their own against the whole world. During this time I have heard no one claim this property except the foregoing parties.

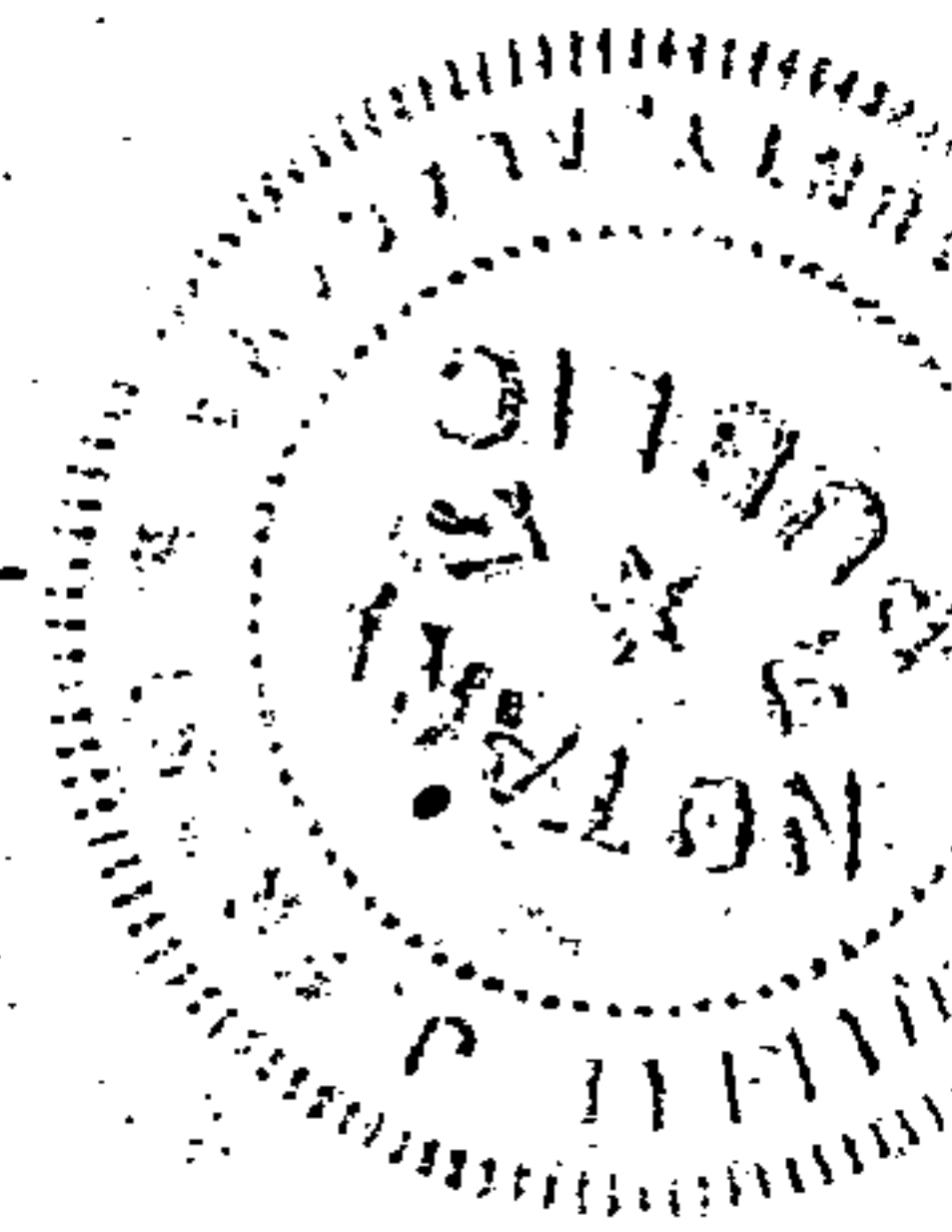


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George L. Hyde  
George L. Hyde

Subscribed and sworn to before me the undersigned authority in and for said State and County this 23 day of June, 1975.

William J. Frost  
Notary Public, Shelby County,  
Alabama



STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED

'77 APR -7 AM 11:13 R. 4.50

Thomas A. Snowles, Jr. Ind 1.00  
JUDGE OF PROBATE \$ 5.50

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