

STATE OF ALABAMA )  
SHELBY COUNTY )

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Shelby Cnty Judge of Probate, AL  
06/08/1977 12:00:00 AM FILED/CERT

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

My name is Frank Lacey and 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 being more particularly described as follows, to-wit:

The S $\frac{1}{2}$  of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 8, Township 24, Range 13 East.

I am 46 years of age and I was born and raised on the above described property and still live there on it up to this present time. I have lived there continuously and exclusively for each and every year with the exception of possibly five years when I went to the Army and later married. But even during the five years or so I was gone from the property I was very closely familiar with the occupation, use and possession of the same and would visit the property from time to time. I am the son of Mary Lacey who died without leaving a last will and testament and whose only children were affiant, Frankie D. Lacey, Robert Lacey, Sam Lacey, William Fred Lacey, and James Lacey. My sister Emma May Lacey is deceased and left two children, one being Gene Wayne Hale and the other being Willard Tranholm. My said sister died without leaving a last will and testament and these were the only two children who were ever born to her. There were no other children other than the ones here named ever born to Mary Lacey. My mother Mary Lacey was the only child ever born to her mother, Frances Nichols. Frances Nichols died more than 10 years ago without leaving a last will and testament. Frances Nichols was the daughter of Robert Sims who purchased the above described property from John B. Randall and wife, M. K. Randall, before the turn of the century. The said Robert Sims never had but two children, one was Frances Nichols and the other was a son, Sam Sims. Sam Sims never had any children and both he and his wife are now dead and have been dead for more than 20 years. Said Sam Sims died without ever leaving a last will and testament and his only heir being Frances Nichols, his only sister.

As stated above, I am 46 years of age and I was born and raised in the house situated on the above described property which was my mother, Mary Lacey's home. When I first remember the above described property I was only a few years old and it was more than 40 years ago. My mother and father were living on the above described property and had been for several years prior to that time. The above described property not

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only contained out home but it was fenced and we had a small farming operation which we conducted on it with cattle, livestock, and that type thing which was used to supply primarily our family with its needs. A portion of the property was farmed or cultivated and a portion of it was kept in pasture and some woods which we used for firewood and other purpsoes. This all continued for each and every year from the time I first remember the property slightly more than 40 years ago for each and every year up to and including the present time. In fact, my wife and I reside now in the house which was the former house occupied by my mother and father but we have made improvements on the same over the years. The property is still fenced around its entire boundaries and we have a few head of cattle and livestock on the place and keep part of it in cultivation for garden purposes. This farming, occupation and use of the property and living on the property has continued by me and my mother Mary Lacey prior to her death for each and every year continuously and exclusively for more than 40 years before this date. There has never been any dispute or questions whatsoever concerning the occupation, use and possession of said property.

Frank Lacey  
Frank Lacey

Sworn to and subscribed before me  
this 11 day of Oct, 1975.

Larry R. Sullivan  
Notary Public

STATE OF ALABAMA )

SHELBY COUNTY )

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

My name is Gussie Hale and I have read the above and foregoing affidavit. With the sole and only exception being that I did not know the identity and kinship of Robert Sims and Frances Nichols, I know of my own knowledge that all the facts and matters alleged above are true and correct. Mary Lacey and her children, and specifically Frankie D. Lacey have been in the absolute and sole possession of the above described property as indicated for more than 40 years next preceding this

affidavit which said possession has been for each and every year and has included living on the property, farming the same, pasturing animals and livestock on the same and otherwise. There have never been any disputes whatsoever concerning the ownership, use and possession of the property.

Gussie Hale  
Gussie Hale



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Shelby Cnty Judge of Probate, AL  
06/08/1977 12:00:00 AM FILED/CERT

Sworn to and subscribed before me  
this 4 day of Oct., 1975.

Ruby L. Gallen  
Notary Public

STATE OF ALA. OFFICE CL.  
I CERTIFY THAT  
THIS INSTRUMENT WAS FILED

1977 JUN -8 AM 9:19

Thomas A. Swadlow, Jr.  
JUDGE OF PROBATE

Rec. 450  
Ind. 100  
5.00

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Frank D. Lacey  
Rt. 1 Box 111  
Monticello Ala 35111-6111  
Lacey