

1065-

STATE OF ALABAMA  
SHELBY COUNTY

Before me, the undersigned Notary Public in and for said County and State, personally appeared James R. Wheeler, who is known to me and who being by me first duly sworn, deposes and says as follows:

My name is James R. Wheeler. I am 37 years of age and reside at Route 2, Box 57, Wilsonville, Shelby County, Alabama. My wife, Brenda Joy Wheeler, and I, are the owners of the following described property, viz.:

A parcel of land containing two acres, more or less, located in the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 5, Township 21 South, Range 1 East, Shelby County, and more particularly described as follows:

Commence at a point on the West boundary of said quarter-quarter section, 315 feet South of the Northwest corner of said quarter-quarter section; thence proceed South along said quarter-quarter section line 210 feet; thence turn 90 deg. left and run East 420 feet; thence turn 90 deg. left and run North 210 feet; thence turn 90 deg. left and run West 420 feet to the point of beginning,

and have been the owners of said property since February 14, 1966, when we received our deed to said property from my father and mother, namely, James M. Wheeler and wife, Ethel Faye Wheeler, our deed being recorded in Deed Book 240 at page 877, Office of Judge of Probate of Shelby County, Alabama. We went into possession of said property on February 14, 1966, and have remained in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of said property since said date and until the present date, actually residing in our home on said property since April, 1965.

My said father, James M. Wheeler, died on July 4, 1970, and after his death, his children, including myself, conveyed the property which he owned at the time of his death to our mother, Ethel Faye Wheeler, as shown by deed recorded in Deed Book 263 at page 825 in said Probate Office; said deed to my said mother did not include any property which my said father had conveyed during this lifetime; and consequently did not convey the above described property, which my said father and mother had previously conveyed to my wife and me, as aforesaid.

It has been called to my attention that the public records of Shelby County shows as mortgage recorded in Mortgage Book 335 at page 557 in said



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Shelby Cnty Judge of Probate, AL  
08/29/1977 12:00:00 AM FILED/CERT

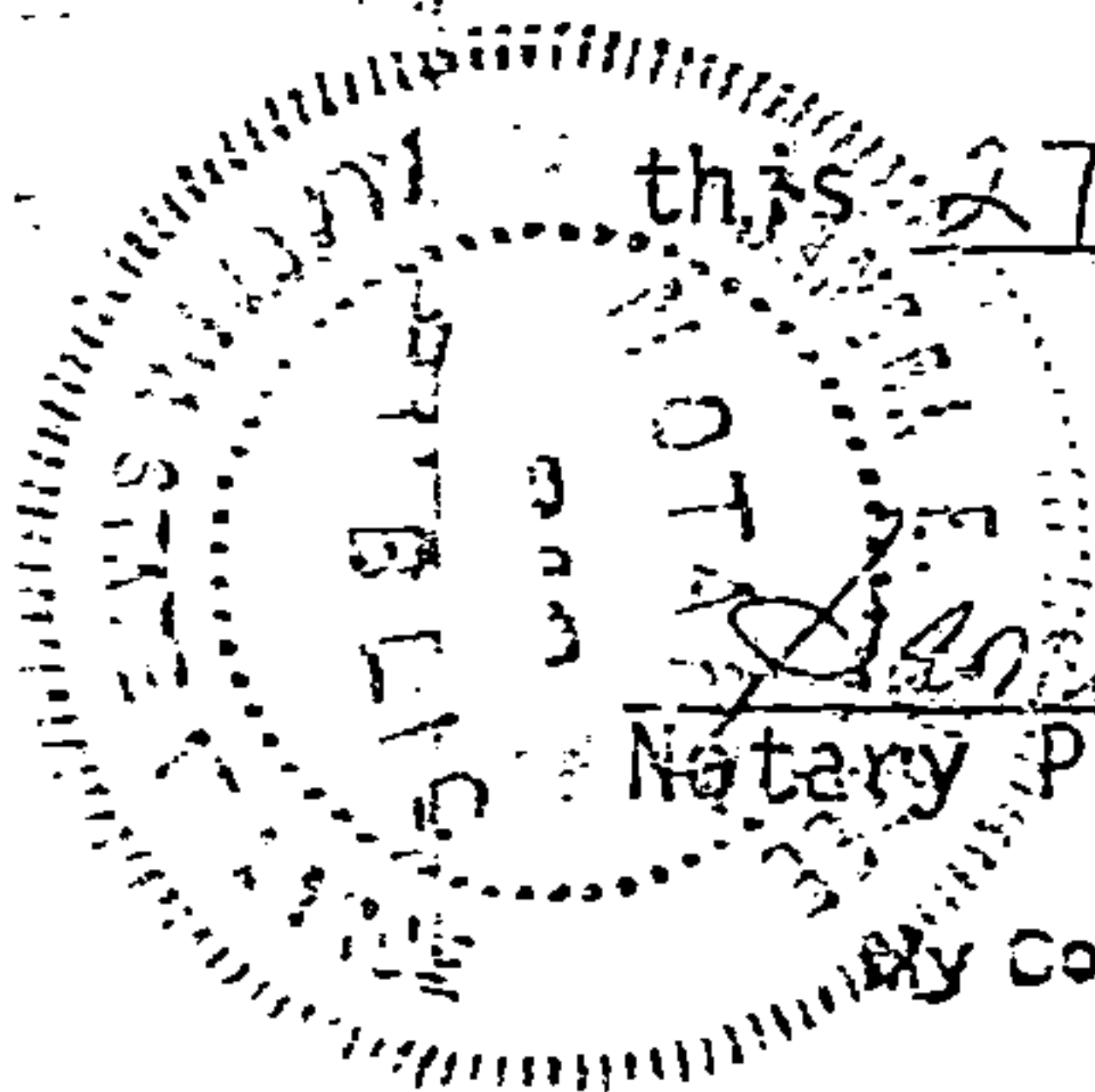
*First National Bank of Columbia*

BOOK 21 PAGE 465

Probate Office from Robert Howard Hartley and wife, Elaine Hartley, to a lot in the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Section 5, Township 21 South, Range 1 East, without describing said lot. Said Hartley property lies approximately 500 feet or more to the South of the above described property, said Robert Howard Hartley and wife, Elaine Hartley, never having had any title to or ownership in or possession of the above described property or any part thereof.

James R. Wheeler  
James R. Wheeler

Sworn to and subscribed before me  
this 27<sup>th</sup> day of August, 1977.



Dendra E. Dupree  
Notary Public  
My Commission Expires March 31, 1981

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

1977 AUG 29 AM 10:47

Rec. 3.00  
1.00  
4.00

Thomas A. Snowdon, Jr.  
JUDGE OF PROBATE



19770829000090100 2/2 \$.00  
Shelby Cnty Judge of Probate, AL  
08/29/1977 12:00:00 AM FILED/CERT