

STATE OF ALABAMA

SHELBY COUNTY

6327



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Shelby Cnty Judge of Probate, AL  
01/10/1978 12:00:00 AM FILED/CERT

Before me the undersigned, a Notary Public in and for Shelby County, Alabama, personally appeared Willie Mae Walton, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is Willie Mae Walton. I am 73 years of age and am a resident of Jefferson County, Alabama, my residence address being at 7404 Denmark Avenue, Birmingham, Alabama, 35224.

I have been familiar with the ownership and possession of the following described property, situated in Shelby County, Alabama, viz.:

Lot No. 20 in the Montevallo Coal and Transportation Company's Subdivision as shown by map or plat of said subdivision recorded in Map Book 3, page 4, Office of the Judge of Probate of Shelby County, Alabama,

for more than 60 years and since I was a small child.

When I first remember said property as a child, before I was 12 years old, I was living in a house which was situated on said property. Said property and the house thereon were owned by my grandfather, C. C. Jolly, and my grandmother, Carolyn Jolly. My mother died when I was a small child, and I was raised as an early child by my said grandparents, my father at that time living and working at other places. I lived for several years in said house on said property with my said grandparents, and then later, before I married, I went to live with my father for 2 or 3 years, and I then married at age 18 and have been a resident of Jefferson County since that time, but I have always maintained close contact with said property and the occupancy thereof over the past 60 years. In fact, I am presently a joint owner of said property, together with my sisters.

The house which was situated on said property over 60 years ago when I was a child is still standing on said property. My said grandfather, C. C. Jolly, was not actually my "blood" grandfather, but I always knew him as my grandfather. My said grandmother, namely, Carolyn Jolly, had been married before she married said C. C. Jolly, and my father, Joseph Cleveland, was her son by her first marriage and was the only child ever born of her. Said C. C. Jolly never had any children at all, either by my grandmother or by any prior marriage.



My said grandfather, C. C. Jolly, died about the year 1946. Said C. C. Jolly and said Carolyn Jolly continued living on said property from the time of my childhood when I lived there with them until the death of said C. C. Jolly, and afterward, said Carolyn Jolly continued living on said property until about 3 years before she died on September 21, 1960. About 3 years before she died, my said grandmother moved to Birmingham and lived with me until the time of her death.

I was always under the impression that my said grandmother, Carolyn Jolly, owned the above described property in her own right in fee simple after the death of my said grandfather, as I know that she continued to live and reside on said property until about 3 years before her death, as aforesaid, claiming to own the total interests in and to said property; as a matter of fact, she willed said property to my sisters, Rosetts Stenson, Annie Bell White, Elnora Williams, and myself, as is shown by her Last Will and Testament which was admitted to probate by the Probate Court of Shelby County in October, 1962. Immediately after the death of my said grandmother and at the time when her Will was admitted to probate, my said sisters and I became the owners of said property and assumed all possessory interests therein. My said sisters and I permitted our cousin, Arthur Fancher, to stay in the house on said property until he died, about 2 years ago, and we were also renting a portion of said house to Hattie J. Farrington at the time when said Arthur Fancher died. After the death of said Arthur Fancher, we have rented said property to Hattie J. Farrington and her family until the present date. I know of my own personal knowledge that my said sisters and I, namely, Rosetta Stenson, Annie Bell White, and Elnora Williams, and our predecessor in title, namely, our grandmother, Carolyn Jolly, have been in the actual continuous, open, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of said property continuously since the time of the death of said C. C. Jolly, as aforesaid, and until the present date. I have never heard anyone question the title of my said sisters and me to said property nor the title of our said grandmother, Carolyn Jolly, before her death. As stated, said C. C. Jolly never had any children born of him, and I don't know any living relatives that he has, nor have I ever heard of any relatives of said C. C. Jolly, or any



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other persons, claiming any right, title, or interest in said property, or any part thereof, except my said sisters and me and our grandmother, who was the widow of said C. C. Jolly.

Willie Mae Walton  
Willie Mae Walton

Sworn to and subscribed before me

this 25 day of November, 1977.

Clarence L. Fletcher  
Notary Public



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STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared David Lewis, who is known to me, and who being by me first sworn, deposes and says as follows:

My name is David Lewis. I am 71 years of age and reside at Montevallo, Shelby County, Alabama. I have read the above and foregoing affidavit of Willie Mae Walton, and I know of my own personal knowledge that the statements of fact set forth therein are true and accurate. I have been familiar with the ownership and possession of said property for more than the past 50 years, I having lived in the close vicinity of said property during said period of time. I know of no living relatives of C. C. Jolly, and I have never heard anyone question the title of said Carolyn Jolly or her grandchildren to said property since the death of said C. C. Jolly. Said Willie Mae Walton, Rosetta Stenson, Annie Bell White, and Elnora Williams, and their predecessor in title, namely, Carolyn Jolly, have been in the continuous, open, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of said property continuously since the death of said C. C. Jolly and until the present date.

David Lewis  
David Lewis

Sworn to and subscribed before me

this 5<sup>th</sup> day of ~~November~~, 1978

James H. Williams  
Notary Public

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STATE OF ALABAMA

SHELBY COUNTY

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

My name is Rev. John Gay. I am 77 years of age and reside at Montevallo, Shelby County, Alabama.

I have read the above and foregoing affidavit of Willie Mae Walton, and I know of my own personal knowledge that the statements of fact set forth therein are true and accurate. I have been familiar with the ownership and possession of said property for more than the past 50 years, I having lived in the close vicinity of said property during said period of time. I know of no living relatives of C. C. Jolly, and I have never heard anyone questions the title of said Carolyn Jolly or her grandchildren to said property since the death of said C. C. Jolly. Said Willie Mae Walton, Rosetta Stenson, Annie Bell White, and Elnora Williams, and their predecessors in title, namely, Carolyn Jolly, have been in the continuous, open, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of said property continuously since the death of said C. C. Jolly and until the present date.

*Rev. John Gay*  
Rev. John Gay

Sworn to and subscribed before me  
this 5<sup>th</sup> day of ~~November~~ January, 1978

*Lusie J. Willis*  
Notary Public

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STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1978 JAN 10 AM 10:40  
JUDGE OF PROBATE  
REC 6.00  
FILED 1.00  
7.00