

State of Alabama, } Affidavit of adverse possession made by  
Shelby County, } R. B. Posey.

Before me C. H. Floray a Justice Peace in and for said County, in said State, personally appeared R. B. Posey, who is personally known to me and who being by me first duly sworn deposes and says on oath, that he is about 38 years of age, is now and has been for 35 years past in the business of farming at or near the Post office of Harpersville, Shelby County, Alabama; that he lives about one mile from and has personally known for 35 years next preceding the date hereof the following described land in said County and State, to-wit: A part of the S. E.  $\frac{1}{4}$  of the S. E.  $\frac{1}{4}$  of Section 28 and of the S.  $\frac{1}{2}$  of S.  $\frac{1}{2}$  of Section 27, in Tp. 19, Range 2 East, described as follows: Beginning at a point in the said S. E.  $\frac{1}{4}$  of S. E.  $\frac{1}{4}$  of Section 28, at the forks of the Blazes ferry and Kymulpa ferry roads on the North side of said Kymulpa ferry road, thence running in a southeasterly direction along the North side of said Kymulpa ferry road to the South line of said S. E.  $\frac{1}{4}$  of S. E.  $\frac{1}{4}$  of Section 28, thence East along said South line and the South line of Section 27 to the South East corner of the S.  $\frac{1}{2}$  of S.  $\frac{1}{2}$  of Section 27, thence North along the East line of said last described forty acres about 700 feet to the said Blazes ferry road, thence in a Southwesterly direction along the South side of said road to the place of beginning, excepting one acre in the N. E. corner of said tract of land owned by the Colored Baptist Church, also a strip of land lying on the South side of the S.  $\frac{1}{2}$  of S. E.  $\frac{1}{4}$  of Section 28, and being all that part of said half Quarter Section that lies South of said Kymulpa ferry road and East of the brick store owned by J. H. Wilder. All the above situated in Township 19, Range 2 East, and being in all 50 acres more or less. That about the year 1880 said lands were in the actual adverse possession of R. L. Flippen under a claim of ownership and remained in his possession under claim of ownership until about the year 1888 when he sold the same to R. M. Boswell, who took possession thereof and remained in such possession under

claim of ownership until the year 1898, when he sold the same to Lula Borum, who took possession thereof and remained in such possession under claim of ownership until the year 1906, when she sold the same to William Looney and his wife, a better description of said lands being included in an additional deed from L. C. Borum and husband R. L. Borum to Wm Looney, dated December 10th, 1911, the said Wm Looney and wife M. J. Looney remained in such possession of said lands until the 27th day of July, 1908, when they sold the same to Mrs L. C. Borum, who remained in such possession of said lands until the 25th day of August, 1911, when she sold the same to F. B. Borum, who remained in such possession of said lands until the 21st day of December, 1912, when he sold the same to Olya Ray, who remained in such possession of said lands until the 5th day of March, 1914.

That said lands were acquired by said applicant Harvey Phillips Kimbrough from Olya Ray, and said applicant, Harvey Phillips Kimbrough went into possession thereof on or about the 5th day of March, 1914, since which date and up to and including the time of the execution of this affidavit, said Harvey Phillips Kimbrough has been continuously in the open, visible, notorious, hostile, exclusive, peaceful, adverse possession of all of said lands, paying taxes thereon and claiming to own the same; that said Harvey Phillips Kimbrough and those through whom he holds said lands to the personal knowledge of affiant have consecutively, successfully and uninterruptedly held open, visible, notorious, hostile, exclusive, peaceful and continuous adverse possession of all of said lands paying taxes thereon and claiming to own the same for more than 35 years just past and that affiant does not know, nor has he heard of any claim to any part of said lands adverse to, or casting any doubt whatever upon the absolute ownership thereof by said Harvey Phillips Kimbrough.

That the possession of each one of the above named owners was evidenced by the exercise of the following

acts of ownership and possession to wit: They fenced, cultivated, lived upon, paid taxes and exercised all visible means of possession and claims of ownership. Affiant further states that Lula Borum is one and the same person as L. C. Borum, and Lula C. Borum.

R. B. Posey

Borum to and subscribed before me, this 2nd day of March, 1918.

C. W. Flory

Justice of Peace

The State of Alabama,

Shelby County, } I hereby certify that the within  
aff was filed in this office for record 20 day of March,  
1918, at 3 o'clock P.M. and recorded in Deed Record  
64 Pages 26-28 and Examined.

G. H. Stearns - Judge of Probate