

AFFIDAVIT

STATE OF ALABAMA)
 SS
 JEFFERSON COUNTY)

Before me, the undersigned authority, this day personally appeared Mr. W. A. Hays, who being duly sworn, deposes and says as follows: to-wit: that he now resides at Overton Mines and is well acquainted with that certain property located in Sections 29, 30, 31 and 32 Township 19, Range 2 west in Shelby County, Alabama, known as the Miller Farm, and which is described as follows: ^{to-wit:} The west half of the southwest quarter of Section 29 (the minerals and mining rights, as heretofore reserved, excepted); all that part of the east half of the southwest quarter of Section 29 lying southwest of a line drawn southeasterly from the northwest corner of the southeast quarter of the southwest quarter of Section 29 to a point in the south line of said southeast quarter of southwest quarter of said section 29, where said south line of said southeast quarter of southwest quarter would be intersected by the line of the fence (if continued northwesterly) dividing the lands of the said Frank Miller and the lands of Johnson Estate in Section 32; the east half of the southeast quarter of Section 30; the northeast quarter of the northeast quarter and the northeast diagonal half of the southeast quarter of the northeast quarter of Section 31; that part of the northeast quarter of the southeast quarter of Section 31 beginning at a point in the east line of Section 31 where said east line intersects the south line of the Montevallo and Ashville Public road and running thence southwesterly along the south line of said road, 220 feet more or less, to a fence dividing the lands of the said Frank Miller and one Scott, and thence southeasterly along the line of said fence, to the east line of said Section 31; the northwest quarter of Section 32, except that part thereof lying east of cross fence (if extended) between the lands of Frank Miller and the lands of the Johnson estate; the east half of the southwest quarter of Section 32; the northwest quarter of the southeast quarter of Section 32; the northwest quarter of the southwest quarter of Section 32, except a small tract conveyed to C. R. Cross, lying between the canal and Old Creek Run, in the southwest corner; that part of the southwest quarter of the southwest quarter of Section 32 lying east of a line 340 feet west of the southeast corner of said southwest quarter of the southwest quarter, and running north 15° west, to the Creek on or near the north line thereof; all of the west half of the northeast quarter of Section 32 lying west of cross fence between the lands of Frank Miller and the lands of the Johnson Estate; that affiant has known said Miller Farm and the occupancy thereof for more than 50 years; that when affiant first knew said lands, Thomas B. Miller, the father of Frank Miller, was in possession thereof and actually resided thereon with his family; that the said Thomas B. Miller cultivated a large portion of the said lands from year to year until he sold the same to his son, Frank Miller, in 1900; that the said Frank Miller went into possession of said lands in 1900; under deeds of conveyance to him, and continuously occupied the same, residing thereon with his family, cultivating a large part thereof, continuously and uninterruptedly to the exclusion of all other persons until the said Miller sold the said Miller Farm to C. E. Leonard in April 1922; that a large part of the said farm was under fence during the time of the said occupancy thereof, by the said Frank Miller and his family; that the said possession of the said Frank Miller of the said farm for said period extending from 1900 to 1922 was, as aforesaid, continuous, exclusive, uninterrupted, open, plainly visible to the public, hostile to all other persons and under

claim of ownership by the said Frank Miller under his deeds thereto, ~~which~~ as affiant understands, are of record in the office of the Probate Judge of Shelby County, Alabama; that affiant has personal knowledge of the facts hereinabove recited, and affiant has never heard of any claim being made to any part of the said Miller Farm during said period of ownership by the said Frank Miller, namely, from 1900 to 1922, except by the said Frank Miller; that since the said purchase of said farm by the said Leonard from the said Frank Miller, the said Leonard, by and through his agents, servants and tenants, has continuously been in possession of the said farm, cultivating a large part thereof and otherwise improving the same, the said Leonard claiming to own the same under his said deed from the said Frank Miller, against all persons; that the said possession of the said Leonard as aforesaid, has been continuous, uninterrupted, open, plainly visible to the public and adverse to all persons, under claim of ownership by reason of his said deed from the said Frank Miller, which is, as affiant understands of record in the office of said Probate Judge; that the said possession of the said Frank Miller and the said Leonard, together extends over a period of more than twenty seven years.

W. A. Hays

Sworn to and subscribed before me this the 1st. day of August 1927.

Henry Mikul--Notary Public

THE STATE OF ALABAMA)
SHELBY COUNTY)

I, L. B Riddle Judge of Probate hereby certify that the within affidavit was filed in this office for record Aug. 22nd 1927 at 2 oclock P.M. and recorded in Deed record 82 page 444 and examined.

L.B.Riddle--Judge of Probate