

AFFIDAVIT

STATE OF ALABAMA)

JEFFERSON COUNTY)

Before me the undersigned authority, personally appeared Coella E. Walker who being by me first duly sworn, deposes and says on oath, as follows:

That she is the widow of the J. L. Walker who died on the 26 day of Dec. 1927, that she was the daughter of Miles G. Foust and Nancy L. Foust, and that the said Miles G. Foust and Nancy L. Foust only had four children as follows: Affiant, W. E. Foust M. I. Foust and C. W. Foust. That M. I. Foust died on the 25th day of Sept. 1886, died intestate, without issue, leaving no heirs, not having ever been married, and no administration on his estate. That C. W. Foust died on the 29 day of May 1893 intestate, without issue, not leaving any wife, and no administration on his estate. That affiant and W. E. Foust are the only living children, and the sole heirs of the said Miles G. Foust and Nancy L. Foust. That John Foust and Lettie Foust were the father and mother of the said Miles G. Foust, and both of them have been dead for many years. That she is acquainted with the following described lands, to-wit:

The S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 22, the NE $\frac{1}{4}$, and the N $\frac{1}{2}$ of the SE $\frac{1}{4}$, the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the E $\frac{1}{2}$ of the NW $\frac{1}{4}$, all in Section 27, and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 26, all in Township 21, Range 3 west, in Shelby County, Alabama.

That she is 55 years of age, and has known said lands practically all her life. That her father, the said Miles G. Foust, died in the year 1892, and that at the time of his death, and for some years prior to his death had been, to her knowledge, in the actual, open, notorious, continuous, uninterrupted peaceable and adverse possession of all of said above described lands. That although in 1881 he deeded his interest in the estate of his father, John Foust, to his wife, Nancy L. Foust, and his heirs, he and his wife remained in said possession of the lands, for himself and them, claiming it as their own, until his death, and no other person, or persons, were ever in possession of any of said lands or claiming it as their own, as long as she knew said lands. That from the time of the death of said Miles G. Foust to the time of the death of his widow, Nancy L. Foust, the said Nancy L. Foust, affiant and her husband, the said J. L. Walker lived together, and remained in the actual, open, notorious, continuous, uninterrupted, peaceable and adverse possession of all of said lands, and since the death of the said Nancy L. Foust affiant and J. L. Walker remained in the same kind of possession until the death of the said J. L. Walker, and affiant, remained in the same kind of possession of all of said lands since the death of the said J. L. Walker, and is still in possession of said lands, claiming to own said lands and during all of said time no other person, persons, firm or corporation has ever made any claim to any part of said lands, never claimed to own any part of same, and have never been in possession of any part of said lands. Affiant, and those under whom she claims have regularly assessed all of said lands for taxes, have paid taxes on same, and no other person, firm or corporation have paid any taxes on said lands, for all these years, except the Ala. Mineral Land Co. has part on the NE $\frac{1}{4}$ of NW of Sec. 27, also, except by mistake, the S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 22 was left out of the assessment for the year 1906, sold for taxes, bought in by one W. G. Parker, and deeded by W. G. Parker to J. L. Walker in 1916. That all of the above described lands have been known as the Foust lands, and later as the Walker lands for more than 50 years, to my knowledge, and during all of that time no other person or persons have made any claim to any part of same, or been in

possession of same, and this knowledge of the people all over that section was general, open and notorious. That Henry McBride or the S & N R.R. have never been in possession of any of said lands, or made any claim to same as long as I have known it. That Miles G. Foust and Nancy L. Foust each died intestate.

Coella E. Walker

Sworn to and subscribed before me this the 7 day of February, 1928.

W. G. Nethery--Notary Public

THE STATE OF ALABAMA)

SHELBYCOUNTY)

I, L.B. Riddle Judge of Probate hereby certify that the within affidavit was filed in this office for record March 3rd. 1928 at 9 oclock A.M. and recorded in Deed redord 85 page 424 and examined.

L.B. Riddle--Judge of Probate