

Affidavit

State of Alabama,)
Shelby County.)

Before me, L. H. Ellis, a Notary Public in and for said County, in said State, personally appeared W. M. Harless, who is known to me and who, being by me first duly sworn deposes and says:

I am now 72 years of age; I am acquainted with the following described land and have known it all my life, and have lived on adjoining land during that time, viz:

The north half of the north east quarter and all that part of the north half of the south half of the north east quarter lying north of the line fence of Elliott and Robertson; also all that part of the north east quarter of the north west quarter east of the Montevallo and Ashville public road; all in Section 26, Township 21, Range 3 West, Shelby County, Alabama; also all that part of the west half of the north west quarter lying west of Spring Creek and north of a line fence of Elliott and Robertson, or the extension thereof; all in Section 25, Township 21 Range 3 West, Shelby County, Alabama, and more particularly described as follows:

Begin at the north west corner of Section 25, Township 21, Range 3 West, Shelby County, Alabama, thence north 88 degrees 27 minutes east 535.2 feet; thence south 29 degrees 30 minutes east 191.5 feet; thence south 55 degrees 30 minutes east 255.8 feet; thence south 23 degrees 30 minutes east 102.0 feet, to spring; thence south 22 degrees 45 minutes west 190.3 feet; thence south 68 degrees 45 minutes west 127.8 feet; thence south 9 degrees 45 minutes east 247.5 feet; thence south 28 degrees 15 minutes east 231.5 feet; thence south 67 degrees 15 minutes east 117.3 feet; thence south 11 degrees 45 minutes west 129.5 feet; thence south 60 degrees 45 minutes west 124.5 feet; thence south 21 degrees 30 minutes west 204.0 feet; thence south 36 degrees 30 minutes east 52.7 feet; thence south 16 degrees 30 minutes west 105.4 feet; thence north 88 degrees 40 minutes west 3305.5 feet; thence north 3 degrees 22 minutes west 148.9 feet; thence north 88 degrees 16 minutes east 137.0 feet; thence north 17 degrees 44 minutes west 338.2 feet; thence north 26 degrees 29 minutes west 135.7 feet; thence north 11 degrees 29 minutes west 287.6 feet; thence north 6 degrees 29 minutes west 605.0 feet; thence north 88 degrees 16 minutes east 2745 feet, to the point of beginning, and containing 121.42 acres more or less, situated in Shelby County, Alabama.

I knew J. L. Walker in his life time and I remember when he sold and deeded the land to C. L. Smith in 1924; Mr. Walker lived on this land and claimed to own it from about the year 1896 until 1916, when he moved to Siluria, Alabama, and entered the mercantile business. I am quite sure that he remained on said land, living upon it and cultivated it each and every year for at least twenty orior to the time he moved to Siluria, Alabama; as a matter of fact he raised his family on this land. After he left the place in 1916, he continued to own it and remained in possession of said land and had it cultivated through tenants, or members of his family, until he sold it to C. L. Smith, in 1924.

In other words said J. L. Walker and his successors in title, down to and including the present owner, have been in the actual open, notorious, continuous, exclusive, adverse possession of said land for a period of forty years or more, and there has never been a time or a year during that period, except possibly this year, but that the land or some portions thereof has been cultivated and people have been living upon it in recognition of the title of the then owners. This year the only farming operations that I known of were some hay, which was cut off of it, and a good portion of it has been pastured up with a large herd of cattle running upon it.

W. M. Harless

Sworn and subscribed to before me this the
4th day of December, 1937.

L. H. Ellis, Notary Public.

Filed for record in this office the 6th day of December, 1937 at 2 PM and recorded in Deed Record #103, on page 439 and examined.

L. C. Walker, Judge of Probate

Shelby County, Alabama.