

## AFFIDAVIT

STATE OF ALABAMA |

JEFFERSON COUNTY |

Before me, the undersigned authority in and for said County and said State, personally appeared Adrian Walker, being by me first duly sworn, deposes and says that he knows lots or parcels A and C in the survey of Walker Lands in Section 13, Township 20, Range 3 West, made by G. B. Pickett and recorded in Deed Book 104, page 94 in the Probate Office of Shelby County, Alabama. Said lots being a part of the S $\frac{1}{2}$  of NW $\frac{1}{4}$  and NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section, Township and Range and situated in Shelby County, Alabama. Affiant says that he first knew said lands about 40 years ago when Tom Cross owned them and has known said lots continuously since that time and he himself become the owner of said lots among others first above 20 years ago and that he is now the owner of the same. That Tom Cross sold said lots to S. S. Childers and S. S. Childers sold them to J. B. Woodward and J. B. Woodward sold them to me. That there has been a residence located upon said Lot A for the last 40 years or more and is still located thereon, and that such lots have been fenced and cultivated each year for the last 40 years except for the last 3 or 4 years, said land has not been cultivated, and during the last 40 years the owner of said lots or their tenants have lived in such house and cultivated said lands as aforesaid, and that his possession and the possession of said prior owners during the last 40 years have been actual, open, notorious, adverse, exclusive, hostile, continuous and peaceable, and he has never heard of any disputes concerning the boundaries or ownership of said lots except as hereinafter stated. And that during about the last 20 years the affiant has assessed said property for taxation in Shelby County and paid the taxes thereon.

Affiant is informed that one J. M. C. Johnson and wife executed a warranty deed to K. E. Cooper, et, al, which deed is recorded in Deed Book 93, page 54 in the Probate Office of Shelby County, Alabama, attempting or purporting to convey a part of said lot A lying NW of the old Montevallo-Ashville Road. Affiant further says that said fence, forming the west boundary of said lot A, has been in its present location for the last 40 years and has always been recognized as the line and that J. M. C. Johnson never owned any land east of said fence, and that K. E. Cooper, as Trustee, etc. has recognized the superiority of his title and he has in his possession a letter from K. E. Cooper wherein K. E. Cooper has rented from him the portion of land attempted to be conveyed in this deed for the consideration of \$1.00, and that K. E. Cooper has agreed to vacate the land described in this deed upon request.

Affiant further says that he is the same Adrian Walker named as grantee in that certain deed from Mary E. Walker as grantor which is recorded in Deed Book 98, page 227 in the Probate Office of Shelby County, Alabama, and which deed conveys to him among with others, lots A and C above described and that at the time said deed was executed and delivered to him, the said Mary E. Walker had no creditors whatsoever, and the property described in said deed was no part of her or his homestead and that said deed was delivered to him by the grantor therein and placed on record by him. That at the time said deed was executed and delivered, he and his wife, Mary E. Walker, the grantor in said deed, were living in Jefferson County, Alabama, and that the said Mary E. Walker or Mary Walker mentioned in conveyances affecting the title of said property among others, prior to the date of this affidavit, are one and the same person and affiant says that he is the same person as the Adron Walker who is mentioned in that certain warranty deed recorded in Deed Book 56, page 537 in the Probate Office of Shelby County, Alabama, wherein R. A. Payton and wife are the grantors and the affiant says that the 10 acres of land attempted to be described in the deed from said R. A. Payton and wife is no part of said Lots A or C but is lot D in said survey above described and that the mortgage from R. A. Payton and wife to J. P. Tomlinson recorded in Mortgage Book 96, page 195 in the Probate Office of Shelby County, Alabama is no lien on lots A or C and neither lots A or C or any part thereof is effected by the description in said mortgage.

Affiant further says that there are no improvements upon said lots for which a balance is due or to become due.

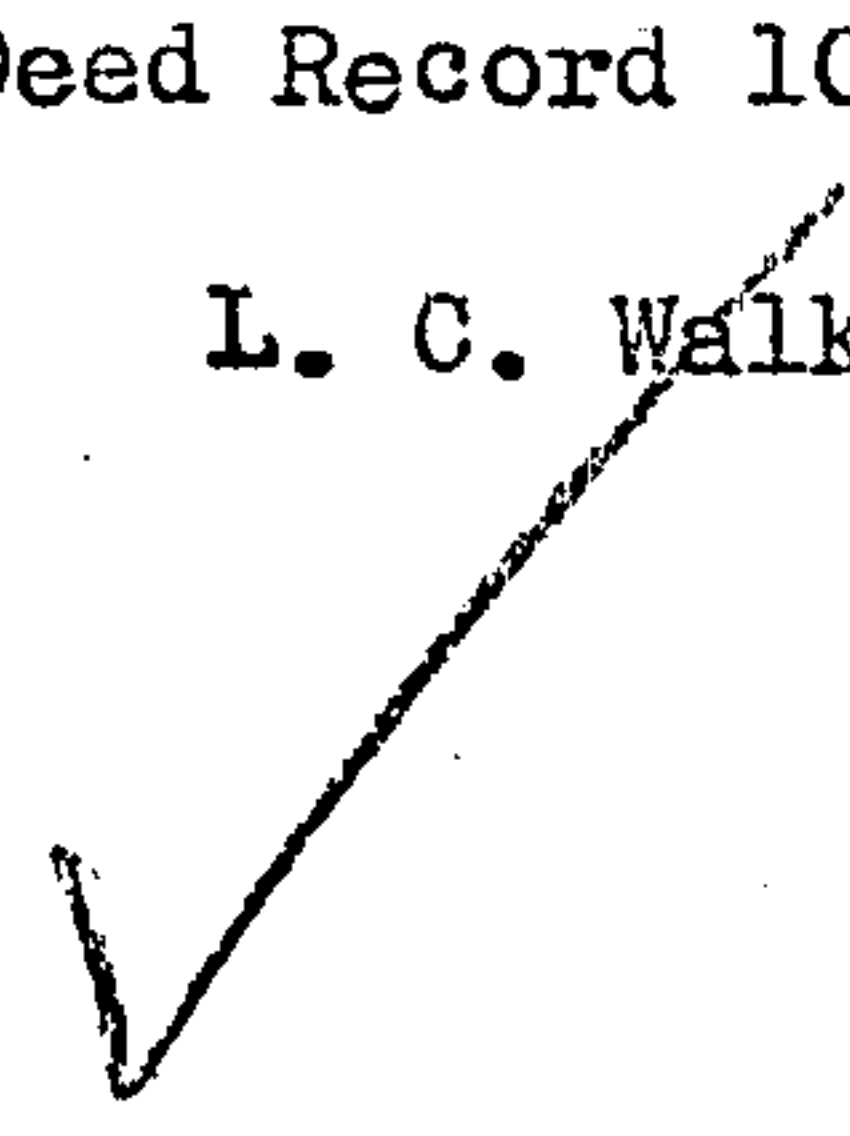
Adrian Walker

Sworn to and subscribed before me this the 27th day of June, 1940.

Wm. J. Thornton, Notary Public

Filed in this office July 1, 1940 at 8 am and recorded in Deed Record 108 at page 525 and examined.

L. C. Walker, Judge of Probate



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