

AFFIDAVIT OF W. R. ALEXANDER

STATE OF ALABAMA,)
)
SHELBY COUNTY.)

Before me, the undersigned authority in and for said County in said State, personally appeared the undersigned W. R. Alexander who, being by me first duly sworn, deposes and on oath says:

I am 70 years of age, and reside near Spring Creek, in Shelby County, Alabama. I am familiar with the following described lands:

- The E¹/₂ of W¹/₂ of SE¹/₄ of Section 13,
 - The W¹/₂ of SE¹/₄ of SE¹/₄ of Section 13,
 - The E¹/₂ of NW¹/₂ of Section 24,
 - The NW¹/₄ of NE¹/₄ of Section 24, all in Township 22, Range 3 West,
- situated in Shelby County, Alabama, and containing 180 acres, more or less.

I have known and been familiar with said lands, and with the owners thereof, and the occupants thereof ever since I can remember. Said lands lie within a mile of where I live, and within less than a mile of my father's home, where I was reared, and in the vicinity of where I have lived all my life. All of said lands are under fence, and have been under fence continuously for the last forty years or longer, and portions of the lands have been in cultivation each year during that time. There is a house, known as the Old Bailey home, on the Northeast quarter of Northwest quarter of Section 24, Township 22, Range 3, West, in which Miss Lucy Jane Bailey lives, and where she has lived all her life. The parents of Miss Lucy Jane Bailey, Mr. Z. R. Bailey and wife, Mrs. Mary Jane Bailey, both of whom are now dead, were living on said property and claim to own the same more than forty years ago, and with their family continued to live there and cultivate the lands, or a large part of them until Mr. Z. R. Bailey's death, which occurred about Oct. 21, 1923; and after his death his widow, Mrs. Mary Jane Bailey and her family continued to live on the place and cultivate the same until her death on March 6th 1932, and claimed to own the same, and after the death of Mrs. Mary Jane Bailey's death her daughter, Miss Lucy Jane Bailey continued to live on the place and cultivate the same and claimed that she and her sisters and brothers owned the same, and she still lives on the place, cultivates the same and claims that she and her brothers and sisters own the same as heirs of her father and heirs and devisees under the will of her father. The claim of Mr. Z. R. Bailey and his wife, Mrs. Mary Jane Bailey, and of their children that they owned said lands during all that time, and for more than forty years prior and up to this time, has been open, continuous, notorious and adverse to all the world, and during all that time no one else has claimed to own said lands, so far as I have heard, and no one else has been in possession of said lands, and no one, so far as I have heard, ever disputed their ownership or title to said lands, and the lands have been generally known as the Bailey Lands and as owned by said Mr. Z. R. Bailey, his wife Mrs. Mary Jane Bailey and, since their death, by their children.

The children of said Z. R. Bailey and Mary Jane Bailey, are:

- 1. Lena Bailey Lowery, wife of Berney Lowery; 2. Lucy J. Bailey, unmarried; 3. Charles D. Bailey, whose wife is named Myrtle D. Bailey; 4. Florence Bailey Long, whose husband is G. C. Long; 5. Clem Bailey Seal, who is now a widow; and 6. Ruby Bailey Harper, who is now a widow. All of said children of Z. R. and Mary Jane Bailey are living, and over twenty-one years of age, and there are no deceased children of Z. R. and Mary Jane Bailey, or of either of them and no children or descendants of any deceased child or children.

Mr. and Mrs. Z. R. Bailey reared a boy, who was not related to them, but who went by the name of Morris Bailey. My information is that he was never adopted by them, but that Mrs. Mary Jane Bailey, by her will gave to him an interest in the lands, and that he, the said Morris Bailey has sold his interest in said lands to Miss Lucy Jane Bailey.

W. R. Alexander

Subscribed and sworn to before me this 13th day of September, 1943.

Seal

Dixon B. Jones, Notary Public