# 1516

## AFFIDAVIT

STATE OF A LABAMA,

SHELBY COUNTY....

Before me, Paul O. Luck, a Notary Public in and for said County, in said State, personally appeared H. Moore and L.C. Carter, respectively, who, being duly sworn, depose and say that they reside in Shelby County, Alabama, and in the community in which the hereinafter described lands are situated; that for a period of more than fifty years, last past, they have been a cousinted with the location, ownership possession and use of the following described lands in Shelby County, Alabama, to-wit: The Southeast Quarter of the Southwest Quarter of Section 10, and the North Half of the Northwest Quarter of the Northeast Quarter, and the Northeast Quarter of Section 15; all in Township 21, Mange 2 West.

Affiants further say that they know of their own fersonal knowledge that, for more than fifty years, last past, Harry Hodges and those through whom the said Harry Hodges holds title, as hereinafter named, to the above described lands, hive been respectively in the open, notorious, continuous, peaceful and adverse possession of said lands claiming the same as their own, respectively, as hereinafter described, against all the world, and exercising acts of ownership over said lands by cultivating a part of said tract and tracts, using other parts for pasture purposes, and the timber lands thereon for the cutting of saw timber, paper wood and cord wood from year to year, and the dwelling houses and other improvements thereon have been regularly and continuously occupied by the several owners hereinafter named, or their tenants or agents, and that affiants have never heard the title of the s id Harry Hodges, or those through whom he holds title, as hereinafter named, to said lands, hereinafter described by the several tracts, to be questioned in any way; said predecessors in title to the said Harry Hodges, and those through whom he holds title, to the several tracts hereinafter described/as follows, to-wit:

TRACT ONE: The Southeast Quarter of the Southwest Quarter of Section 10, Township 21, Range 2 West, the predecessors in title being as follows: W.R. Payne, from 1882 to November 1, 1910; Peter Perolio, from November 1, 1910, to March 11, 1938; Mrs. J.L. Spearman, from March 11, 1938 to August 3, 1943.

TRACT TWO: The Southwest Quarter of the Southeast Quarter of Section 10, Township 21, Range 2 West, the predecessors in title being as follows: John S. Evans, from 1895 to January 19, 1901; Saginaw Lumber Company, from 1901 to March 11, 1913; H.L. Payne, from March 11, 1913, to December 30, 1913; Peter Perolio. from December 30, 1913, to March 11, 1938; and from 1938 to August 3, 1943, Mrs. J.L. Spearman.

TRACT THREE: The North Half of the Northeast quarter of the Northwest quarter of Section 15,

Township 21, Range 2 West, the predecessors in title being as follows: R.M. and M.J. Payne, from 1884

to august 3, 1943

until January 8, 1916; Peter Perolio, from 1916 to March 11, 1938; and from March 11, 1938/Mrs. J.L.

Spearman.

TRACT FOUR: The North Half of the Northwest Quarter of the Northeast Quarter of Section 15, Township 21, Range 2 West, the predecessors in title being as follows: R.M. Payne from the time affiants first knew said lands, to Mary 22, 1909; the Saginaw Lime and Lumber Company, from the year 1909 to March 11, 1913; H.L. Payne, from March 11, 1913, to the latter part of the year of 1914, or the first part of the year 1915; Peter Perolio from the date of conveyance from H.L. Payne to Peter Perolio sometime on or about the first of the year 1915, to March 11, 1938; Mrs. J.L. Spearman, from March 11, 1938, to August 3, 1943.

The affiant H. Moore, further says that he was acquainted with the heirs -at-law of John S. Roach, the former owner of the East Half of the Northwest Quarter of Section 15, Township 21, Range 2 West, and that he knows that the grantors in the two deeds wherein M.J. Jones, J.M. Jones, M.N. Faust, M.F. Faust, J.W. Roach, S.A. Roach, A.J. Roach, T.T. Roach and J.E. Roach, and L.M. Roach and Ira Roach conveyed to R.M. Payne and R.J. Payne the above described lands which deeds are dated November18, 1884, and recorded in Deed Book 24, on page 110, and deed dated February 6, 1886, and recorded in Deed Book 24, on page 112, in the office of the Judge of Probate of Shelby County, Alabama, were the sole heirs at law

and next of kin of the said John S. Roach.

Affiants further say that they are 73 and 74 years of age, respectively, and that they are land owners and have been for more than fifty years in the community in which the above described lands are situated.

Affiants further say that they have known for many years Mrs. J.L. Spearman, the grantee in that certain deed from Peter Perolio and wife, Annie Perolio, to Mrs. J.L. Spearman, dated March 11, 1938, and recorded in Deed Book 104, on page 284, and that she is the one and the same person as E.C. Spearman as Emma C. Spearman, and Emma Clara Spearman mentioned in those deeds recorded, respectively, in Deed Book 114, on page 518, and in Deed Book 116, on page 19, all in the office of the Judge of Probate of Shelby County, Alabama.

Witnesses as to L.C. Carter. Paul O. LUCK Clarice W. Luck

H. Moore
his
L.C. x Carter
mark

Sworn to and subscribed before me on this the 6 day of May, 1944.

Paul O. Luck

Notary Public, Shelby County, Alabama.

Filed in the office of the Probate Judge te 12th day of May, 1944 at 8 o'clock A.M. and recorded in the Deed Record 118 on page 370 on this the 12th day of May, 1944.

L.C. Walker,

NO TAX DUE ON THIS INSTRUMENT

Judge of Probate