

#1845

A F F I D A V I T

STATE OF ALABAMA |

SHELBY COUNTY... |

Before me, L. C. Walker, Judge of the Probate Court, in and for said County, in said State, personally appeared W. W. Wallace, who, being duly sworn, deposes and says that he is sixty-six years of age, and now resides at Columbiana, Alabama; that he is now, and has been for ten years, last past, Judge of the 18th Judicial Circuit of Alabama; that he was born and reared on his father's farm near Harpersville, Alabama, and has been a resident of Shelby County all of his life; that for a period of fifty-five years, last past, he has been acquainted with the owners, parties in possession, location, boundaries and use of the following described lands, situated in Shelby County, Alabama, to-wit:

All that part of the Northwest Quarter of the Southeast Quarter of Section ²⁸ 28, described as follows, to-wit: Commence at the Southwest corner of said Northwest Quarter of the Southeast Quarter of said Section 28, and run thence North 2 degrees and 43 minutes West, a distance of 243 feet to the point of beginning: Run thence North 87 degrees and 30 minutes East 737.7 feet to an iron stob; run thence south 71 degrees East 233.7 feet to the West margin of what is known as the Columbiana and Vincent Highway; thence run in a Northeasterly direction along the West margin of said Highway to where said Highway intersects the East line of said Northwest Quarter of the Southeast Quarter; run thence North along the East line of said forty to the Northeast corner thereof; run thence West to the Northwest corner of said Northwest Quarter of the Southeast Quarter; run thence in a Southerly direction along the West line of said forty, a distance of 1077 feet, more or less, to the point of beginning, and being in Section 28, Township 19, Range 2 East.

Also, all that part of the Northeast Quarter of the Southeast Quarter of Section 28, that lies West of the right of way of the Columbiana and Vincent Highway and West of the Old Harpersville and Sterrett public road in Section 28, Township 18, Range 2 East, in Shelby County, Alabama.

Affiant further says that for a period of fifty-five years, last past, he was intimately acquainted with T. J. Martin, sometimes known as Thomas J. Martin, who was a farmer, the operator of a cotton gin, and a merchant at Harpersville, Alabama, and his wife, E. M. Martin, who was sometimes known as Eva M. Martin, both now deceased; that as far back as fifty-five years ago the said T. J. Martin and wife E. M. Martin, together with their family resided upon the lands North and contiguous to the above described tract and that your affiant visited in the home of the said T. J. Martin frequently during his childhood and young manhood; that your affiant attended church and school at Harpersville during his youth and young manhood, and often went with his father and hired hands to purchase goods from the said T. J. Martin; that affiant was well acquainted with the location of the home of the said T. J. and E. M. Martin and with the road leading from the business section of Harpersville to the residence occupied by the said T. J. and E. M. Martin North of the above described tract, said road passing through the above described tract of land and that on the Southwest corner of the above described tract of land, T. J. Martin owned and operated a cotton gin and that the remaining part of said tract situated West of said road leading to the home of said T. J. Martin was enclosed by a fence and was regularly cultivated in crops by the said T. J. Martin; that that part of the above described of land tract situated East of the road leading to the Martin home, as aforesaid, was used by the said T. J. Martin and E. M. Martin for pasture, and was enclosed by a fence.

Affiant further says that of his own personal knowledge he knows that for fifty-five years, last past, Ada B. Gorman and James O. Gorman, and those through whom the said Ada B. Gorman and James O. Gorman, hold title, namely, Frank A. Gorman, Jr., and Frank A. Gorman, being one and the same person as F. A. Gorman, and T. J. Martin, to the above described lands have been, respdctively, in the open, notorious, continuous, peaceful and adverse possession of said lands, claiming said lands as their own, respectively, against all the world, and exercising acts of ownership over said lands as heretofore given; that the affiant has never heard the title of the said Ada B. Gorman and James O. Gorman, or those through whom they hold title, as aforesaid, to said lands to be questioned.

(affidavit continued)

W. W. Wallace

Sworn to and subscribed before me on this the 27th day of May, 1944.

L. C. Walker

Judge of Probate of Shelby County, Alabama

COURT SEAL

Filed for record in this office on the 30th day of June, 1944, at twelve o'clock noon and duly recorded in
Deed Record Vol. 118 on page 518-519., incl.

L. C. Walker, Judge of Probate

No tax due on this instrument
