AFETDVAIT

2305

STATE OF ALABAMA

SHELBY COUNTY

Personally came and appeared before me, S. A. Lokey a Notary Public for the State of Alabama, at large, Frank Norris, also known as J. Frank Norris and J.F. Norris who after being by me first duly sworn according to law to speak the truth deposeth and says:

My name if Frank Norris, I am also known as J. Frank Norrisand J.F. Norris. I am 72 years of age and reside in Columbiana, Shelby County, Alabama and have for the past 64 years. I am well acquainted with the following described property and those in possession for the past 30 years to-wit:

Commencing at a point on the East boundary of right of way of L & N R.R. 20.55 ft. North 80° 2' East from tack in center of Pier of trussell over ditch North of depot; thence run up said ditch North 80° 2' East 94.18 ft. to a point 22.49 ft. South 80° 92' West from center of West Abuttment of concrete culvert over said ditch and under State Highway No. 25; run thence North 25° 7' East along West boundary of said State Highway and 30 ft. from center of bituminous surface 119.78 ft. to intersection of the West boundary of said Highway with the West boundary of an alley or street; run thence North 0° 37' East along the West boundary of said alley 105.71 ft.; run thence due West 212.38 ft. to a point on the East boundary right of way of L & N R.R. which point is 21.32 ft. East of the center hub of rail road track at a point 74.2 ft. North 20° 19' West of the point of depot siding; run thace South 20° 19' East along the East boundary of said rail road right of way 223.25 ft. to point of beginning, situated in the Town of Columbiana, Shelby County, Alebama.

My father, Henry M. Norris and my mother, Alice E. Norris lived upon the above described property as t tenants of Cecil Brown in 1907 when I bought all of the above described property from Cecil Brown and wife Sara B. Brown by deed recorded in the office of the Judge of Probate for Shelby County, Alabama, in Deed Book 22, at page 468 and the property described in that deed is the same as the above described property. It is an error in the deed where it states that the property faced 80 ft. on the alley. The figure must have been intended for 80 yards as that is approximately the distance it does face the alley.

About the same time that I bought this property from Cecil Brown, I bought from Joseph L. Peters the land lying immediately North of it and extending from the alley back to the rail road and North to the

property of Maggie Sterrett and Mary E. Mason. This deed is recorded in Deed Book 25 at page 467. I took immediate possession of these two tracts under said deeds and our family continuously lived in the house on the above described lot and cultivate and used both lots until April of 1903 when I conveyed all of said property to my mother the said Alice E. Morris by deed recorded in Deed Book 37 at page 634 and deed book 35 at page 186. At the time I executed these two deeds I was a single man. My mother and father continued to occupy this property as a home and cultivated the lot North of it. About the year 1917 after my father's death, my mother sold off a lot 90 x 175 ft. in the lot.lying north of the above described property to W.D. Bearden and A.A. Acker, this deed is recorded in Deed Book 62 at page 116. This lot did not touch the above described lot. W.D. Bearden sold his interest to W.B. Acker in 1919. About the year 1923 A.A. Acker and wife and W.B. Acker and wife sold the lot to Mrs. Annie Elizabeth Looney.

As to the above described lot and all the lot immediately North of it, my mother remained in possession, living upon it and using it in every way as a homestead until her death in 1921. She died intestate leaving three children as her sole heirs at law, affiant, Pearl Friedberger and E.T. Norris also known as Tom Norris and E. Tom Norris and is one and the same person as E.T. Norris, grantee in deeds from affidant and Pearl Friedberger, one recorded in Deed Book 70 at page 255 and the other in Deed Book 70 at page 256. The said E.T. Norris went into immediate possession thereafter of the above described property and the lot lying immediately north of it except what was sold off to Acker. About the year June 1922 the said E.T. Norris being one and the same person as E. Tom Norris, grantor in said deed of June 16, 1922 which is recorded in Deed Book 70 at page 481 sold said property to Annie Elizabeth Hooney reserving a lot 87 x 50 ft. This lot is no part of the above described lot but lies immediately North of it. At the time the said E. Tom Norris executed this deed he was a single man and has never married. The said Annie Elizabeth immediate possession of the above described lot and the lot Looney went into immediately North of it under this deed and in 1923 she acquired from A.A. Acker and wife and W.B. Acker and wife the lot above mentioned in the Northwest corner of the lot lying immediately North of the above described lot. This gave her title to all of both lots except lot reserved by E. Tom Norris and she remained in possession, living on the above described lot and using the lot North of it in connection therewith until about the year 1938 when she sold all of said property including the above described property to | her daughter-in-law, Julia C. Looney who has since been in possession through the agency of tennants who have lived in the house on said lot and she is now so in possession. Possession of the said Julia C. Looney and her predecessors in title has been for more than forty years actual, continuous, peaceful, quite, exclusive, open, notorious, adverse, hostile and under Color of Title and Claim of Ownership as to the whole world. Pearl Friedberger, A.A. Acker, W.B. Acker, W.D. Beatden, E.D. Hall and S.A. Hall have not been in possession of any part of the above described lot nor made any claims thereto for more than 20 years, nor has affiant known of any one claiming adverse to or disputing the title of the said Julia C. Looney nor the said Annie Elizabeth Looney since said Annie Elizabeth Looney acquired from E. Tom Norris in 1922.

Frank Norris

Sworn to and subscribed before me this 11th day of May, 1946.

S. A. Lokey

Notary Public

Filed in the office of the Probate Judge the 11th day of May, 1946 at 3 o'clock P.M. and recorded in the Deed Record 124 on page 86 on this the 13th day of May, 1946.

NO TAX LUE ON THIS INSTRUMENT

L. Walker,

Judge of Probate