AFFIDAVIT

#2872

STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared F. W. Rogan who, after first being by me duly sworn to speak the truth, deposes and says:

My name is F. W. Rogan. I am 74 years old and have lived in Montevallo, Alabama, all of my life. I have been familiar with the land described below and with those in possession of it all of my life. Said land is described as follows:

Lots Number Three and Four in Block "J" in Lyman's Addition to the Town of Montevallo, Alabama, according to the survey and map of the said Lyman's addition to the Town of Montevallo, Alabama, which is recorded in the Probate Office of Shelby County, Alabama; one of said lots fronting 100 feet on Highland Street and running back to a kepth of 150 feet, and the other lot described as Lot Number Three in Block "J" in Lyman's Addition to the Town of Montevallo, Alabama, and being a corner lot 100 feet front and 150 feet deep and is situated immediately back of the Lot Number Four first described above. Said property being situated and lying in Shelby County, Alabama.

I knew John W. Comer for approximate y 25 years before his death in July, 1917. He purchased Lot Number Four mentioned above in 1901 from F. May Lyman and husband, E. S. Lyman, and he purchased Lot Number Three mentioned above from the same persons in 1902 and went into immediate possession of said land and lived on it continuously until his death in 1917; his wife and children lived on it for several years after his death and in recent years, it has been rented by Ruby Comer Goodwon, who owned it until May, 1946, when she sold it to Carey V. Stabler. Said land was not the homestead of F. May Lyman. The said John W. Comer died without leaving a will and his sole and surviving heirs at law were his wife, Dulcie C. Comer, who later married James A. Albright, sometimes known as James Albright; J. T. Comer, a son; Emma Lou Comer, a daughter; and Ruby Dulcie Comer, a daughter. Ruby Dulcie Comer is one and the same person as Ruby Comer Goodwon or Ruby C. Goodson.

During all the years that I have known the land described above, it has been in open, continuous, exclusive, notorious and hostile possession of John W. Comer and his predecessors in title and successors in title, and I have never heard of anyone's disputing their title or contesting their possession.

F. W. ROGAN

STATE OF ALABAMA

SHELBY COUNTY

Sworn to and subscribed to before me this 3rd day of July 1946.

WILLIAM D. MCCONAUGHY

Filed on the 5th day of July 1946 at 11 a.m. and recorded in Deed Record 124, Page 394 on the 6th day of July 1946.

NO TAX DUE ON THIS INSTRUMENT

L. C. WALKER, JUDGE OF PROBATE