

## AFFIDAVITE

# 732

STATE OF ALABAMA

SHELBY COUNTY

Before me the undersigned authority, a Notary Public in and for said County, in said State, personally appeared Errol Hale 45 years of age who is known to me and who being duly sworn, deposes and says, to wit: I am the son of the J. L. Hale who acquired title to the following described property by warranty deed dated December 9, 1911 and recorded in Deed Book 45, Page 291 in the Office of the Judge of Probate of Shelby County, Alabama:

The NW<sup>1</sup>/<sub>4</sub> of the NE<sup>1</sup>/<sub>4</sub> and the NE<sup>1</sup>/<sub>4</sub> of the NW<sup>1</sup>/<sub>4</sub>, and that part of the SE<sup>1</sup>/<sub>4</sub> of the NW<sup>1</sup>/<sub>4</sub> lying North of Columbiana Road, Section 17, Township 21, Range 2 West, Shelby County, Alabama.

Upon his acquisition of the above described property, my father immediately went into possession of the same and from that time until he sold the said property to J. W. Naish and wife, Ella Naish on October 24, 1938, he lived on the said property, paid State and County taxes on same and assessed same in his name, cultivated all or a part of each tract; had all or a part of each tract of the said property under fence and generally exercised unlimited and absolute ownership of the said property. All during said time, my father's absolute title to the property was never questioned by anyone and I have never heard of any claims of any kind adverse to his title. All during said period of time, my father's ownership of the said property was recognized by everyone in the community, and all during said time he held open, notorious, peaceable,

exclusive, continuous, uninterrupted adverse possession of the said property against all the world.

I was reared by my father on the said property and lived there with him until 1920, at which time I enlisted in the U. S. Navy and served until May 1945, I know off my own knowledge that my father's possession after I enlisted in the Navy was the same that it had been when I lived there with him, that is up until he sold the property to the said J. W. Naish and wife, Ella Naish, he held open, notorious, peaceable, exclusive, continuous, uninterrupted adverse possession of the said property against all the world.

I further state that my mother and I now live and have lived for 8 years within one-fourth mile of the said property and I know my own knowledge that when J. W. Naish and wife, Ella Naish bought the said property from my father, they went into immediate possession thereof and held open, notorious, peaceable, exclusive, continuous, uninterrupted adverse possession of the said property until January 17, 1942 when they sold the property to B. R. Shadrick.

I further state that the said B. R. Shadrick, upon his acquisition of the title as aforesaid, went into possession of the said property and until April 1, 1944, when he sold the said property to Wm. F. Goodwin held open, notorious, peaceable, exclusive, continuous, uninterrupted adverse possession of the same against all the world.

Sworn to and subscribed before me

this 13th day of Nov. 1946.

Errol Hale

Thos. H. Vaughn  
Notary Public State at Large

NOTARIAL SEAL

Filed in the office of Probate Judge on the 7th day of December, 1946 at 8 o'clock A. M. and recorded in Deed Record 127 on page 99 on this the 7th day of December, 1946.

L. C. Walker

Judge of Probate

No Tax Due