AFFIDAVIT

7#2534

STATE OF ALABAMA

SHELBY COUNTY

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B efore the undersigned authority personally appeared L. C. Dyer, who is known to me and hwho being by me first duly sworn deposes and says:-

I was acquainted with E. B. Hatcher and Mary E. Hatcher, who are grantees in that certain deed executed by G. W. Bilbrey and Sarah A. E. Bilbrey on February 27, 1892, and which deed is recorded in deed book 48 at page 386. Said E. B. Hatcher died intestate prior to February 27, 1920, and left surviving him his widow, Mary E. Hatcher, and the following children:

Fannie L. Thweatt Rubie Carregon Eugene Hatcher Pearl Hatcher Estella Hatcher

and his widow and above named children constituted his sole heirs at law and next of kin entitled to share in the distribution of his estate, and they are the parties named in bill of complaint filed by Fannie L. Thweatt and others against Mary E. Hatcher, et al, in the Circuit Court of Shelby County, Alabama, in Equity, on February 27, 1920, and recorded in Final Record 4, at page 64, in said court and being case No. 544. I remember when the land was sold under decree of court and Mrs. Laura A. Posey became the purchaser, and by deed of J. R. White, as Register, dated June 29, 1920, and recorded in the Probate Office of Shelby County, Alabama, in deed book 109 page 246, the land involved in said proceedings were conveyed to said Mrs. Laura A. Posey.

Mrs. Posey went in to possession of said property immediately after the execution of said Register's deed, living upon it a number of years and had portions of it cultivated and continued to have said land cultivated each and every year by herself or tenants until she deeded it to Leyden A. Cale and others by deed dated December 17, 1940, and recorded in the Probate Office of Shelby County, Alabama, in deed book 110 at page 7. Throughout all that time her possession of said property was actual, open, notorious, continuous, exclusive and adverse, either cultivating it or haveing it cultivated each and every year, until she sold it as aforesaid. When she deeded it to Leyden A. Cale and others by the deed aforedescribed, said grantees want into possession of said property, and remained in the actual, open, notorious, continuous, exclusive adverse possession, having tenants on said land and cultivating portions of it each and every year until they deeded

it to Tillman L. Edwards by deed dated March 17, 1947, and recorded in the Probate Office of Shelby County, Alabama, in deed book 129 at page 117.

I have been intimately acquainted with this land since 1907 and during that time nobody but the Hatchers and those who derived title from them as aforesaid have had possession of said property.

J. F. Pope, to whom a portion of the property in question was conveyed on December 31, 1897, which deed is recorded in deed book 24 page 172 in the Probate Office of Shelby County, Alabama, has never been in possession of said land or exercised any opinion over it to my certain knowledge since 1907.

L. C. Dyer

Sworn and subscribed to before me on this the 7th day of April 1947.

Handy Ellis Notary Public State at Large

Filed in the office of the Probate Judge on the 7th day of April, 1947 at 3 P. M. o'clock and duly recorded in Deed Book 129 page 199 on the 9th day of April, 1947.i

L. C. Walker

Judge of Probate

NO TAX DUE ON THIS INSTRUMENT.