

AFFIDAVIT

#4435

STATE OF ALABAMA

SHELBY COUNTY

Personally came and appeared before me S. A. Lokey a notary public, in and for the State of Alabama at large, Raymond R. Smith, who, after being first by me duly sworn according to law to speack the truth deposes and says:

My name is Raymond R. Smith. I am 44 years of age. I have known the following described land for more than thirty years, to-wit:

The North half of the south half of the northwest quarter and two acres in the northwest corner of the south half of the south half of the northwest quarter all in Section 28, Township 21, Range 2 West.

That thirty years ago T.C. Littleton was in possession of said land, living on it, cultivating parts, pasturing parts, cutting wood from parts and in every way using it as a farm and homestead and so continuing in possession of said land until about the year 1925, when he sold to my father, R.R. Smith. My father moved his family on the above described land and contained to live there and cultivate parts of it, pasture parts, cut wood from parts and in every way used it as a farm and homestead until his death in the summer of 1940. I am well acquainted with that part of the above described land which lies East of Camp Branch and I know for the last thirty years neither the Alabama Lime and Stone Corporation, the Calera Lime Corporation nor the Coosa Lime Company, Inc. have at any time been in possession of any part of it through their agents, servants or tenants. My father the said R.R. Smith cleared the land East of Camp Branch about the year 1927 and cultivated it until the time of his death and no one distrubed or disputed his possession of it.

After my fathers death, my mother Alice Smith continued to live on above described land and with my aid and the aid of my brother Roy cultivated it each year, including that part East of Camp Branch until we sold the above described land to J.B. Morris and Sam Montalto in 1943.

The said J. B. Morris and Sam Montalto have since been in possession, cultivating the above described land by the agency of tenants who lived on it until spring of 1943 when the said Sam Montalto sold his interest to J.B. Morris and the said J.B. Morris is now in possession by the agency of his tenant who is living on said land and gathering the crop thereon including that part East of Camp Branch.

The possession of the said J.B. Morris and those under whom he claims has been for more than thirty years actual, continuous, peaceful, exclusive, direct, adverse, hostile and under color of title and claimer of ownership and I have never known of anyone being in possession of any part of said lands, claiming adverse to them nor have I known of any one disputing their title.

My father, the said R.R. Smith, died intestate in the summer of 1940. He left surviving him, a widow, Mrs. Alice Smith, two sons, me and my brother Roy Smith and two daughters, Mrs. Leo Dewberry and Mrs. Onzella Shaw, My father never had any other children. I was well acquainted with my father's business at the time of his death and helped my mother with the handling of the business after his death and I know that my father left not unpaid debts and no one has made any claim that he owed them anything to me nor have they made any claim to my mother or any member of my family that I have ever heard of.

Raymond R. Smith

Sworn to and subscribed before me, this the 18th day of September, 1947.

S. A. Lokey
Notary Public

Filed in the office of the Probate Judge the 22nd day of September, 1947 at 10 o'clock A.M. and recorded in the Deed Record 130 on page 366 on this the 22nd day of September, 1947.

L. C. Walker,

NO TAX DUE ON THIS INSTRUMENT

Judge of Probate