

STATE OF ALABAMA

# 1949

SHELBY COUNTY

Before me, Paul O. Luck, a Notary Public in and for said County, in said State, personally appeared, the affiant. H.P. Holcombe, who, being by me first duly sworn deposes and says that he now resides at Columbiana, Alabama, but that he formerly resided in the town of Calera, Alabama, and that for more than forty-seven years, last past, he has been acquainted from the location, boundaries, use, possession and ownership of the following described lots or parcels of land situated in the Town of Calera, Alabama, to wit:

Lots 3, 4, and 5 in Block 1 according to J.H. Dunstan's survey and map of the town of Calera, Alabama, and which tract is more accurately described as beginning at the point of intersection of the North line of Patton Avenue, with the West line of Court Street, and run thence in a Northerly direction, a distance of 205 feet; run thence in a Southwesterly direction 150 feet to a point 180 feet North of the North line of Patton Avenue and run thence in a Southerly direction and parallel with the West line of Court Street, a distance of 180 feet to Patton Avenue; run thence in an Easterly direction along the North line of Patton

Avenue 150 feet to point of beginning, and  
all in the Town of Calera, Alabama, and  
all according to Streets, Avenues, and plat  
as shown by J.H. Dubstan's Survey of said  
Town of Calera, Alabama.

Affiant further says that his Mother, Sallie C. Holcombe, who was the wife of B.J. Holcombe, obtained a deed to the above described lots from Lillian M. Caffey and H.C. Caffey, on October 16, 1900, which deed was filed for record, and is of record in the Probate Office of Shelby County, Alabama, in Deed Book 30, page 467. and that his Mother, Sallie C. Holcombe, went into the immediate possession of said lots after the execution of the above mentioned deed, and that she added several rooms to the small dwelling house then situated upon the above described lots, and made other improvements to the dwelling house, and the out houses thereon, and enclosed all three lots homesite, using lot number 5 for garden and orchard purposes, the residence being situated upon Lot number 4, and other buildings incident to said home site being located located upon Lot number 3, and that the said Sallie C. Holcombe, together with her husband and children occupied the same for a number of years, and that the children occupied the same for the number of years, and that the said Sallie C. Holcombe continued to reside thereon until the date of her death in 1937, October 21st., and that during such period of occupancy, as aforesaid, all of said lots were used continuously as a homesite, garden, and orchard plat, flowers, garage and other buildings being on said lot incident to the home site.

Affiant further says that the said Sallie Holcombe deeded said property to seven of her children on September 28, 1926, as shown by deed recorded in Deed Book 79, page 219, in the office of the Judge of Probate of Shelby County, Alabama, and after the execution of said deed, as aforesaid, the grantees in said deed allowed their Mother to continue in the occupancy of said property as a homesite until her death in 1937.

Affiant further says that from the date of purchase of said lands by the said Sallie C. Holcombe to the date of the conveyance by the said Sallie C. Holcombe to seven of her children, as aforesaid, that the regularly assessed and paid all State, County, and Municipal taxes on said property each year, and that from date of conveyance to Robert Pratt Holcombe and the other heirs of the said Sallie C. Holcombe, to the date of sale of said Lots of Sidney Bird and wife, Mavoureen Bird, on September 7, 1942, that Robert Pratt Holcombe and the other party owners regularly assessed and paid taxes upon said property each year; that affiant knows that neither W.E. Williams, W.H. Martin, nor any of his heirs at law have ever been in the possession of any part of the above described lots, or in the possession of Lot number 5 in Block 1.

Affiant further says that he known that his Mother assessed said lots for taxes of year 1913 and paid and paid the taxes thereon as evidenced by Tax Receipt on December 27, 1913.

Affiant further says that he knows that neither Joseph P. Dimmick, Nora Spaw Dimmick, Margaret D. Thetford, William F. Thetford, Jr., Annie M. Dimmick Jones, A.B. Jones, Winona Wilson, Albert F. Wilson, or W.C. Gewin, or either of them, have ever been in the possession of any part of the above described lots since the date of purchase of 1900 by the Mother of your affiant.

Affiant further says that of his own personal knowledge that he known that for more then 47 years, last past, that A.B. Baxley and Ann George Culver, and husband, Joe Q. Culver, and those through whom they hold title, namely, Milford Lee, J.E. Pruitt, Sidney M. Bird and wife, Mavoureen Bird, Lee Glenn, and husband, John L. Glenn, Sr., Pearl Annie Onderdonk, Fred Handy Holcombe, Lucille Holcombe, Benjamin J. Holcombe, Jr., Katherine Holcombe, Robert Pratt Holcombe, Gladys Holcombe, Carolyn Echols Lowery, Howard Echols, Bobby Echols, R.A. Echols, Mary Echols, Hattie Myrtle Echols, and Sallie C. Holcombe, respectively, to the above described lots, have been, respectively, in the open, notorious, continuous, peaceable, and adverse possession of said lots, claiming the same as their own, respectively, against all the world, and regularly exercising acts of ownership over said lots by fencing the same, using, and occupying said lots as a home site, as aforesaid, and regularly and continuously assessing said lands for State, County, and Municipal taxes and paying said taxes each year; that the affiant has never heard the title of the present owners, A.B. Baxley, who now owns Lots 4 and 5 in Block 1, Ana Ann George Culver and Joe Q. Culver, who now own and reside on Lot 3 in Block 1,

to be questioned in any way.

H.C. Holcomber

Sworn to and subscribed Before me on this the 14 day of February, 1948.

Paul O. Luck

Notary Public, Shelby County,  
Alabama.

Filed in the office of the Probate Judge on the 16th day of February, 1948 at 4 o'clock P.M. and recorded in  
the Deed Record 131 on page 590 on this the 17th day of February, 1948.

L. C. Walker,

Judge of Probate

*No Tax Due*