

#2572

## THE STATE OF ALABAMA

## SHELBY COUNTY

Before me, John P. Lee, a Justice of the Peace, in and for said county, in said State, personally appeared J.W. Carter, who being first duly sworn, deposes and says: That he resides at Keystone in Shelby County, Alabama; that for a period of more than 47 years last past that he has been acquainted with the location, the boundaries, the use, the possession, and the ownership of the following described lands situated in Shelby County, Alabama:

That part of the South half of the northwest quarter of the southeast quarter of Section 26, Township 20, Range 3 West, described as follows: Beginning at the southwest corner of said twenty acres and run thence north 240 feet; run thence east 210 feet; run thence north 420 feet; run thence east 210 feet; run thence south 210 feet; thence east 420 feet; thence north 210 feet; thence east 480 feet; to the northeast corner of said twenty acres; run thence south 660 feet more or less to the south line of said twenty; run thence west along the south line of said twenty acres a distance of 1320 feet more or less to the point of beginning and containing 16 acres more or less.

Affiant further says that Jennie Carter, now deceased, was the wife of your affiant and that the said Jennie Carter departed this life intestate in Shelby County, Alabama on or about the 3/24th day of 1935, and left surviving her as heirs-at-law and next of kin, your affiant and the following namely: E.H. Carter, J.D. Carter, B.W. Carter, Lonnie Carter, Floyd Carter, Ruby Crim and Margie Collins, and that said Jennie Carter owed no debts at the time of her death and that no Letters of Administration were ever issued or granted on her said estate.

Affiant further says that said lands described above is a part of what was formerly known as the John M. Power tract of land and that the grantors and the grantee named in that certain deed from J.M. Powers and others to Robert M. Powers, dated January 2, 1939, and recorded on October 6, 1939 in Deed Book 22, on page 388 in the office of the Judge of Probate of Shelby County, Alabama, are all the heirs-at law of the said John M. Powers, deceased.

Affiant further says that the heirs-at-law of Jennie Carter conveyed the above described lands by mortgage to L.H. Ellis, which is shown of record in Mortgage Book 178, Page 573, and that said indebtedness was not paid, and said mortgage was foreclosed, and that said lands were not redeemed by your affiant and the other mortgagors, or the assigns of your affiant and the other mortgagors.

Affiant further says that he known of his own personal knowledge that for fifty years last past that C.E. Cox, Jr. and wife, Nomie I. Cox and others through whom they hold title, namely, C.D. Smith, J.H. Curry, L.H. Ellis, J.W. Carter, and the heirs-at-law of Jennie Carter, as aforesaid, Jennie Carter, R.E. Carter, R.E. Bowdon and R.M. Bowers, respectively, to the above described lands have been respectively, in the open, notorious, continuous, peaceable, and adverse possession of said lands, claiming said lands as their own, respectively, against all the world and regularly exercising acts of ownership of said lands by assessing and paying the taxes thereon, residing on said lands as a home-site, cultivating parts thereof in agricultural crops, cutting fire-wood and timber therefrom, and using part of said lands for pasture purposes;

Affiant has never heard the title of said C.E. Cox, Jr. and wife, Norma I. Cox, the parties who are now in possession, residing on and claiming said land, or those through whom they hold title to said lands to be questioned in any way.

J.W. Carter

Sworn to and subscribed before me this the 17 day of March, 1948

John P. Lee  
Justice of Peace, Shelby County

Alabama

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Filed in the office of the probate Judge on the 30th day of March, 1948 at 10 o'clock A.M. and recorded in the Deed Record 133 on page 133 on this the 30th day of March, 1948.

L.C. Walker, Judge of Probate



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STATE OF ALABAMA

SHELBY COUNTY

Before me, John P. Lee, a Justice of Peace, in and for said county, in said State, personally appeared M.C. Butler, who being duly sworn, deposes and says that he resides near Keystone in Shelby County, Alabama; that for a period of more than 50 years last past he has been acquainted with the above and foregoing lands described in the Affidavit, this day made by J.W. Carter.

Affiant further says that he has read the facts set forth in the above and foregoing Affidavit this day made by the said J.W. Carter, and that affiant knows that said facts and statements set forth therein are true and correct and that the parties named in said abstract as owners, have been for the past 50 years respectively, in the open, notorious, continuous, peaceable, and adverse possession of said lands, claiming said lands as their own respectively, against all the world and regularly exercising acts of ownership over said lands as stated further in the above and foregoing Affidavit; that affiant has never heard the title of the several owner, as stated heretofore, nor the right of possession to be questioned, by anyone, and that said possession has been continuous over said period as aforesaid.

M.C. Butler

Sworn to and subscribed before

me this the 17 day of March, 1948.

John P. LeeJustice of Peace, Shelby County,  
Alabama.*No Tax Due*