
AFFIDAVIT

STATE OF ALABAMA

SHELBY COUNTY

#5776

Personally came and appeared before me, S.A. Lokey, a notary Public in and for the State of Alabama at large, Carl L. Horton, who after being first by me duly sworn according to law to speak the truth, deposes and says:

I have known the following described property and those in possession of it for fifty years, to-wit:

All that part of the West half of Northwest quarter of Section 13, Township 22, Range 2 West, which lies West of the Calera and Columbiana Highway right of way and East of the Old road leading from Calera to Columbiana, containing 5 acres, more or less, situated in Shelby County, Alabama.

This land was apart of what is known as the Dean or Burton Farm and there was a tenant house situated on it, which has been occupied by tenants for many years, when E.C. Burton and wife Annie M. Burton sold the above described property to Mary Chaney about January 25, 1942, and placed her in possession. Soon thereafter Mary Chaney married one Jim Scott or James G. Scott and they repaired said tenant house, made considerable improvements and additions to it and lived in said house and cultivated said lands until about the fall of 1946 when they sold to Clarence Crowley and wife Mary Ruth Crowley and placed them in possession. The Crowleys lived in said house and cultivated said land until 1950, when they sold to Mr. & Mrs. C.E. Lovett and placed them in possession. The Lovetts lived in said house until recently when they moved from said property.

When I first became acquainted with the Dean or Burton Farm, of which the above described land was

a part , it was owned by a Mr. Dean. About the year 1904, he sold to John Hall. John Hall never did live on said land, but rented it to a man by the name of Friar, who lived on it and cultivated by the agency of tenants and servants until about the year 1915, when W.G. Page and wife bought said property and moved on said farm and cultivated it through the agency of tenants and servants until the fall of 1919, when they sold said land to E.C. Burton and wife Annie M. Burton.

Said E.C. Burton and Annie M. Burton went into immediate possession of said farm and lived thereon, cultivating parts, pasturing parts, cutting timber from parts and using all of said land including the above described land as a farm and homestead until they sold above described land to Mary Chaney as aforesaid. That the possession of the above named owners from Dean to Lovetts abovenamed has for 45 or 50 years to my own personal knowledge been actual, continuous, peaceful, quite, exclusive, open, notorious, adverse, hostile and under color of title and claim of ownership and during said time no other person has been in possession of any part of above described land claiming adverse to said owners nor have I known of anyone claiming any interest right or title adverse to said owners nor have I known of anyone disputing owners title to said land.

I have lived in the immediate neighborhood of said property during this time and has constantly observed the possession and been acquainted with the owners except the Halls and I was acquainted with their tenants.

Affiant further states that none of the Halls have been in possession of any part of said land nor exercised any claim thereto since they sold to Page in 1915 and that the said W.G. Page and wife, E.C. Burton and wife, Mary C. Scott and Jim Scott, Clarence Crowley and wife Mary Ruth Crowley and Mrs. C.E. Lovett and C.E. Lovett have occupied and claimed said land as adverse to said Halls and without recongnizing any title, right or interest in them since the year 1915..

Carl L. Horton

Sworn to and subscribed before me on this 16th day of September, 1950.

S.A. Lokey
Notary Public

Filed in the office of the Probate Judge the 25th day of September, 1950 at 4 o'clock P.M. and recorded in Deed Record 142 on page 602 on this the 26th day of September, 1950.

L.C. Walker,

NO TAX DUE ON THIS INSTRUMENT

Judge of Probate