
AFFIDAVIT

#2265

STATE OF ALABAMA

SHELBY COUNTY

Before the undersigned authority personally appeared Morris Gallups, who is known to me and who being by me first duly aworn deposes and says:

I am acquainted with the NW 1/4 of NW 1/4. Section 20, Twnship 19, Range 2 East, and have known the land all my life and I am now fifty-five years of age. I have lived in that community practically all my life, that is, the community where I now live and the community in which the above land is situated. I know that this forty acre tract of land was known as part of the W.D. Raley farm for long, long years, which included also the SW 1/4 of NW 1/4 of said Section 20.

I knew W.W. Robinson in his lifetime. I do not know exactly how much land he owned there but I rented the land from him one year and cultivated it but did not live on it. It appears from the record that W.D. Raley deeded Mr. Robinson this property in 1915 and said deed appears to be of record in the Probate Office of Shelby County, Alabama, in Deed Book 62, at page 604. My recollection is that there were 240 acres of the land. My recollection is that I rented this farm from Mr. Robinson in 1940 or 1941. There were houses on it and I rented out some of houses that year myself to tenants. For more than ten years prior to the time I rented it I have actually known that Mr. Robinson rented the land out to tenants who lived in houses on the property and sometimes cultivated portions of it. This occurred, as I say, for far more than ten years prior to the

time I rented it. After the year I rented the place it has had tenants on it continuously each and every year down to the present time . I am not quite sure when Mr. Robinson died but I think he died the next year after I rented it and his people remained in possession of it and rented it out each and every year until they sold it to Mr. B. George. The W.W. Robinson land, which constituted part of the W.D. Raley place and which W.D. Raley deeded to him by deed dated January 23, 1915, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 62, at page 604, consisted of 240 acres, and constituted the E 1/2 of NE 1/4 and NE 1/4 of SE 1/4, Section 19, and the W 1/2 of NW 1/4 and NW 1/4 ~~of~~ SW 1/4, Section 20, all in Township 19 South, Range 2 East. Mr. Robinson was in actual possession of all this property having tenants off it and having portions of it cultivated each and every year until he died. Mr. Robinson also owned the E 1/2 of SE 1/4, Section 18, Township 19, Range 2 East which he purchased from B.D. Bilbrey. The Robinson farm, therefore, comprised 320 acres. Neither John Thompson, J.H. Thompson, or Fannie Lee Thompson were ever in possession of this land. The Thompsons lived east of Harpersville which is east of this land. Their land is evidently in Range 3 East and not Range 2 East.

Mr. B. George went into possession of this 320 acre tract of land immediately after it was deeded to him by Exa T. Robinson, et als. by deed dated May 4, 1946, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 126, at page 532, and since that time he has been in the actual, open, notorious, exclusive, continuous, adverse possession of it, having portions of it cultivated each and every year with tenants on the farm all the while.

I am acquainted with that certain land conveyed by Walter Hoffman to W.C. Gewin, by deed dated April 5, 1928, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 85, at page 569, and which was deeded to W.R. Hoffman by the First National Bank of Birmingham, as Executor of the W.C. Gewin Will, by deed dated May 15, 1931, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 95, at page 60. During the time that Gewin owned the property and until it was deeded to W.R. Hoffman as aforesaid, said Gewin was in possession of said property and had tenants on it and had portions of it cultivated each and every year and I was his overseer. After it was deeded to W.R. Hoffman, as above stated, I rented from him all that portion of said property north of Highway No. 91 and south of the railroad. I also had rented from him one forty acre tract between the railroad and highway and also a ten acre strip between the two roads. The forty acre tract I had rented was known as the Tate property and the ten acre tract was known as the Sam Jones land, and I continued to have that land rented each and every year and cultivated it, or portions of it, each and every year until Hoffman deeded it to Mr. B. George and K.J. George in 1945.

W.R. Hoffman, however, deeded to W.S. Pritchard, Margaret W. Burton, and Myrtle O. Wilkinson, in 1933, the W 1/3 of SW 1/4 of SW 1/4 of Section 30, and the W 1/3 of W 1/2 of NW 1/4 of Section 31, and also, the SW 1/4 of Section 31, all in Township 19, Range 2 East, and Pritchard, Burton, and Wilkinson were in possession of that part and neither Morris Gallups or T.E. Darby were in possession of that, notwithstanding tenants under W.R. Hoffman are concerned. Said Hoffman also deeded to W.S. Pritchard, Margaret W. Burton and Myrtle O. Wilkinson, by deed dated February 3, 1933, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 95, page 200, the following of said property, viz:

N 1/2 of

The SW 1/4 of SE 1/4 of Section 19; The W 1/2 of SE 1/4 of SE 1/4 of Section 19; the W 1/2 of SE 1/4 of NE 1/4 of Section 30; And W 1/2 of NE 1/4 of NE 1/4 of Section 30, in Township 19, Range 2 East, all lying north of the highway known as Florida Short Route and containing 90 acres, more or less.

The SE 1/4 of SE 1/4 of Section 19 is a part of the Hoffman land but W.R. Hoffman deeded to W.S. Pritchard, Mrs. Burton and Mrs. Wilkinson, the W 1/2 of SE 1/4 of SE 1/4 of Section 19, Township 19, Range 2 East. My attention is called to the fact that S.E. McGraw and J.F. McGraw deeded to Epsa Ethel Oaks the SW 1/4 of SE 1/4 of SE 1/4 of said Section 19, in 1941. The McGraws did not own and never were in possession of any part of this forty in question and Mrs. Oaks, nor no one under her has taken possession of any part of said forty under said deed but it has been in the continuous possession of the Hoffmans and their successors in title, Pritchard, Mrs. Burton, and Mrs. Wilkinson, until they deeded it to Mr. B. George.

Morris Gallups

Sworn to and subscribed before me on this the 14th day of March, 1951.

Handy Ellis, Notary Public State at Large for the State of Alabama

Filed in the office of the Probate Judge on the 15th day of March, 1951 at 2:00 P.M. and recorded in
Deed Record 145 on page 203 this the 31 day of March, 1951.

L.C. Walker
Judge of Probate

STATE OF ALABAMA
SHELBY COUNTY
I hereby certify that
\$ 10.15 Probate Tax
has been paid on the with-
in instrument as required
by law.
L. C. WALKER,
JUDGE OF PROBATE

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