

AFFIDAVIT

STATE OF ALABAMA

SHELBY COUNTY

Before me, Harold G. Harmon, the undersigned authority in and for said County, in said State, personally appeared C. R. Tinney, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is C. R. Tinney. I am 62 years of age and have lived in Columbiana, Alabama, all of my life. I am well familiar with the Joseph W. Peers lot which he purchased from Emma L. Roper on March 1, 1902, as shown by deed recorded in Deed Book 31 Page 314 in the Probate Office of Shelby County Alabama, and in said deed, said lot was described as follows:

One house and lot in the town of Columbiana situated on the west side of Depot Street between the courthouse and the depot of the Southern Railway, bounded as follows: Commencing at the northeast corner of said lot as now enclosed and running thence 210 feet in a southeasterly direction along said Depot Street, and running thence 210 feet at right angles with said street in a southwesterly direction and thence running 210 feet in a northwesterly direction parallel with said street and thence running 210 feet to the point of beginning, containing 1 acre, more or less, situated in Shelby County, Alabama.

I know of my own knowledge that said lot is one and the same as that described as follows:

A parcel of land in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 26, Township 21 South, Range 1 West, more particularly described as follows: From the northwest corner of the said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 26, run south 52 degrees 29 minutes east, a distance of 397.5 feet to a point on the southerly line of Depot Street for a point of beginning; thence south, 55 degrees 10 minutes east, along the southerly line of Depot Street a distance of 210 feet to a point; thence south, 35 degrees 50 minutes west, a distance of 210 feet to a point; thence north, 55 degrees 10 minutes west, a distance of 210 feet to a point; thence north, 35 degrees 50 minutes east, a distance of 210 feet and to the point of beginning; said land situated, lying and being in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 26, Township 21 South, Range 1 West, in the City of Columbiana, Shelby County, Alabama, containing 1.012 acres, more or less.

My father and mother lived in the house located on said lot and my brother, Ollie Tinney, who is now dead, was born in said house. I know that Emma L. Roper was the only daughter of Elizabeth M. Sterrett and Alphonzo A. Sterrett and I recall when Joseph W. Peers purchased said lot. He went into immediate possession of it and lived on it and reared his family there. One of Joseph W. Peers sons, being named Joseph W. Peers, Jr., was born in said house on the day my father, Richard Tinney, died on December 30, 1904. The said Joseph W. Peers lived in said house and occupied said lot as mentioned above, each and every year and continuously until he and his wife sold the same to Burl A. Thompson and Elizabeth Thompson on August 24, 1928, as shown by deed recorded in Deed

Book 83 Page 223 in said Probate Office. The said Burl A. and Elizabeth Thompson went into immediate possession of said lot and rented it out to Mrs. Elizabeth Thompson's mother, Lillie Belle Peers, being one and the same person as Mrs. Belle Peers and L. B. Peers, until said house burned several years ago. Since that time, Burl A. Thompson and Elizabeth Thompson have been in possession of said lot until this very day.

I know where the Browne Estate land lies, being the same land in which Margaret S. Browne owned an interest. I understand that she made a deed to John M. DeCottes and Nina Browne DeCottes on August 24, 1916, as shown by deed recorded in Deed Book 63 Page 220 in said Probate Office, covering her interest in certain of the lands of the Browne Estate. I know that said Browne Estate does own some land adjoining the Joseph W. Peers lot, but neither Margaret S. Browne nor any of the heirs of said Browne Estate or anyone else has claimed any interest in the Joseph W. Peers lot since the date he purchased it from Emma L. Roper on March 1, 1902, as mentioned above.

Affiant further says that Burl A. Thompson and Elizabeth Thompson and their predecessors in title have during all the years he has known said land, owned it and occupied it openly, adversely, continuously and notoriously and that he has never known to anyone contesting their possession or disputing their title.

C. R. Tinney
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Sworn to and subscribed to by C. R. Tinney before me this the 2 day of April, 1952.

Hall Williams
Notary Public

State of Ala at Large