

STATE OF ALABAMA

SHELBY COUNTY

3090

Before me, Karl C. Harrison, the undersigned authority in and for said County, in said State, personally appeared Lillie E. Horton, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is Lillie E. Horton. I am 50 years of age and have lived within two or three miles of the following described property all of my life and have all along been acquainted with said land and the persons in possession of it. Said land being described as follows:

All that part of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 32, Township 21, Range 1 West, except that part thereof formerly owned by W. W. Hadaway which exception is set forth and described in deed executed by Ada Jones to W. W. Hadaway dated April 16, 1929, and which deed is recorded in the Probate Office of Shelby County, Alabama in Deed Book 83 Page 468 and which exception is also set forth in deed from M. H. B. Jones to W. W. Hadaway dated May 24, 1934, and recorded in Deed Book 94 at Page 292, and which land herein contains 24 acres, more or less;

Also 17 acres, more or less, situated in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 32, Township 21, Range 1 West and more particularly described as follows: Commence at the northwest corner of said forty; thence run south, 36 rods and two feet; thence run in an easterly direction across said forty to a point 29 rods south of the northeast corner of said forty; thence north to the northeast corner of said forty; thence west to the point of beginning;

Also 2 acres of land situated in NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 32, Township 21, Range 1 West and more particularly described as follows: Commence at a point on the west line of said forty 36 rods and 2 feet south of the northwest corner of said forty, at the southwest corner of a tract of land described in a quit claim deed of S. F. Seales and others to M. H. B. Jones dated April 2, 1914, and recorded in Deed Book 58 at Page 55; thence run south along said quarter section line 70 yards; thence east 140 yards; thence north 70 yards to the south line of said tract of land referred to and described in Deed Book 58 at Page 55; thence run west to the point of beginning;

Also 3 and 9/20 acres of land, more or less, situated in the northwest corner of NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 32, Township 21, Range 1 West and more particularly described as follows: Beginning at the northwest corner of said last named forty and run thence east along the north line of said forty, 21 and 3/11 rods; thence in a southwesterly direction 24 and 3/11 rods; thence west 8 and 1/11 rods to the west line of said forty; thence north along the west line of said forty 27 and 3/11 rods to the point of beginning; all being situated in Shelby County, Alabama.

When I first remember said land, it was owned by M. H. B. Jones. If his wife, Bettie Jones, owned any interest in the land, I never knew of it. I recall that she died about ^{the} year 1921 without a Will and left no children. If she had any brothers or sisters or father or mother living, I did not know them. The said M. H. B. Jones occupied said land as his home and farmed parts of it and used parts of it for a pasture and obtained firewood and building timber from it each and every year until he sold it in October, 1935, to T. J.

Lipham, as shown by deed recorded in Deed Book 100 Page 102 in the Probate Office of Shelby County, Alabama. I know that the land conveyed to T. J. Lipham was the same tract of land as that described hereinabove in this affidavit. The said T. J. Lipham went into immediate possession of said land and occupied it continuously until he sold the same to Gordon Ledbetter and Lois Ledbetter in October, 1936, as shown by deed recorded in Deed Book 111 Page 353 in the Probate Office of Shelby County, Alabama. The said Gordon Ledbetter and Lois Ledbetter rented said land out to tenants who occupied it each and every year as a homeplace or as a farm until the Ledbetters sold the same to E. F. Sloan and Helen M. Sloan, in April, 1941, as shown by deed recorded in Deed Book 111 Page 354 in said Probate Office. The said E. F. and Helen M. Sloan lived on said land and occupied it as a home for a little more than a year until they sold it to W. H. Bryant and Agnes Ruth Bryant. The said W. H. Bryant and Agnes Ruth Bryant lived on said land and farmed parts of it and used parts of it for pasture until they sold it to J. P. Harp and Mabel I. Harp on December 10, 1943, as shown by deed recorded in Deed Book 117 Page 507 in said Probate Office. The said J. P. and Mabel I. Harp went into immediate possession of said land and lived on it and farmed it and used parts of it for pasture purposes each and every year until they sold it to Thomas Groover Lucas and Jessie Ethel Lucas on March 4, 1945, as shown by deed recorded in Deed Book 123 Page 576 in said Probate Office. The said Thomas Groover Lucas and Jessie Ethel Lucas went into immediate possession of said land and let some of their relatives live on it and farm it until they conveyed the same back to J. P. Harp and Mabel I. Harp on February^{17,} 1948, as shown by deed recorded in Deed Book 133 Page 551 in said Probate Office. The said J. P. Harp and Mabel I. Harp kept said land only a short time until they sold the same to Robert Calvin Lucas and Edna Irene Lucas on February 28, 1948, as shown by deed recorded in Deed Book 133 Page 552 in said Probate Office. The said Robert Calvin Lucas and Edna Irene Lucas went into immediate possession of said land and have farmed it and used parts of it for a pasture and obtained firewood and building timber from it each and every year until this very day. Since the said Robert Calvin and Edna Irene Lucas have been the owners of said land, they have torn down the old house on said land and have built a new dwelling house thereon. I understand that in some of the conveyances said land was not described as it was in the beginning of this affidavit, but I know of my own knowledge that said land is correctly described in the beginning of the affidavit and I know it

actually describes the tract of land that was actually conveyed in said deeds from the time M. H. B. Jones conveyed the same to T. J. Lipham in October, 1935, as mentioned above, until the present time.

I recall when John A. Straiton and his wife, Ellen Straiton, whose names have been sometimes heretofore erroneously spelled as Staiton, conveyed their interest in said 17 acre parcel of land described above to M. H. B. Jones as shown by deed recorded in Deed Book 58 Page 53 in said Probate Office. I also recall when S. F. Seale and others conveyed their interest in said 17 acre parcel to M. H. B. Jones on April 2, 1914, as shown by deed recorded in Deed Book 58 Page 55 in said Probate Office. I also recall when Mrs. Anna Seale and H. A. Seale conveyed their interest in said 17 acre parcel to M. H. B. Jones on May 14, 1914, as shown by deed recorded in Deed Book 58 Page 58 in said Probate Office. I recall definitely that all of said parties were the heirs of Harmon Seale and it is my information that said parties are the only heirs of Harmon Seale. I have never heard of any of said persons claiming said land since they conveyed the same to M. H. B. Jones.

Affiant further says that Robert Calvin Lucas and Edna Irene Lucas and their predecessors in title have, during all the years she has known said land, owned it and occupied it openly, adversely, continuously and notoriously and that she has never known of anyone contesting their possession or disputing their title.

Lillie E. Horton
Lillie E. Horton

State of Alabama

Shelby County

Sworn to and subscribed to by Lillie E. Horton before me this the 9th day of May, 1952.

Harold Harrison
Notary Public for State
of Alabama

Filed in the office of the Probate Judge on the 12 day of May 1952 at 1 o'clock PM
and recorded in Deed Book 153 Page 130 this 12 day of May 1952.
Deed Tax Mortgage Tax has been paid. L.C. Walker, Judge of Probate