

3818

BOX 151 PAGE 197

STATE OF ALABAMA, X
SHELBY COUNTY.....X

Before me, Paul O. Luck, a Notary Public, in and for said County, in said State, personally appeared Bentley Porter; who, being first duly sworn, deposes and says that he resides at Shelby, in Shelby County, Alabama, and that he has so resided for the past fifty-five years; that he has been acquainted with the use, location, and owners of the Southeast Quarter of the Northwest Quarter; the Northeast Quarter of the Southwest Quarter; the Northwest Quarter of the Southeast Quarter of Section 6, Township 22, Range 1 East, all in Shelby County, Alabama, for more than forty-five years, last past.

Affiant further says that Harry Duncan, being the one and same person as referred to in said deeds as Harry Dunklin, was the grandfather of your affiant, being the father of Alice Dunklin Porter, being the one and same person as Alice Duncan Porter.

Affiant further says that the said Harry Dunklin, being the one and same person as Harry Duncan, left surviving him two children, namely, Alice Dunklin, being one and the same person as Alice Duncan, and Henry Dunklin, being the one and same person as Henry Duncan.

Affiant further says that when he was a small boy, an one-half interest in the above described lands were conveyed by Henry Duncan, being the one and same person as Henry Dunklin, and his Guardian, J.P. Christian, to your affiant's father, G.W. Porter, and that there was, also, conveyed to your affiant's Mother, Alice Dunklin Porter, being the one and same person as Alice Duncan Porter, by J.P. Christian, as Administrator of the Estate of Harry Duncan, being the one and same person as Harry Dunklin, an one-half interest in the above described lands.

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Affiant further says that Henry Dunklin, being the one and same person as Henry Duncan, died intestate in Shelby County, Alabama, unmarried, and without issue, during the year 1917, or during the year 1918, and left surviving him as his sole heir-at-law and next of kin, his sister, Alice Dunklin Porter, being the one and same person as Alice Duncan Porter, the Mother of your affiant.

Affiant further says that his father, George Porter, died intestate in Shelby County, Alabama, during the year 1923, and left surviving him seven children, and his wife, Alice Dunklin Porter, being the one and same person as Alice Duncan Porter; affiant further says that his Mother died intestate in Shelby County, Alabama, during the year 1928; that no Letters of Administration were granted on either of the said Estates of your affiant's Mother and Father, none being necessary, since neither of said Estate owed any debts.

Affiant further says that the sole heirs at law and next of kin of the said G.W. Porter and wife, Alice Dunklin Porter, being the one and same person as Alice Duncan Porter, are as follows: Marie Porter Johnson; Emily Porter; Arrie Porter Pope; Harry Porter; George W. Porter, Jr.; Ruth Porter Wilson, and Gertrude Porter, each of whom are over the age of twenty-one years.

Affiant further says that he knows that Samuel W. Fickler has never been in the possession of any part of the Southeast Quarter of the Northwest Quarter of said Section 6, Township 22, Range 1 East.

Affiant further says that he is familiar with the land owned and conveyed to J.H. Campbell, as shown in Deed Book 81, on page 529, as recorded in the office of the Judge of Probate of Shelby County, Alabama, and containing 33 acres, more or less, and the lands so conveyed to the said J.H. Campbell do not constitute any part of the lands above described and the basis of this affidavit.

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Affiant further says that he knows that the said Pearl C. Nelson does not own or claim any part of the Southeast Quarter of the Northwest Quarter of said Section 6, Township 22, Range 1 East, neither has she ever been in the possession of any part of the said last described forty acres of land. /

Affiant further says that of his own personal knowledge, he knows that for more than fifty years, last past, that affiant's Mother, Alice Dunklin Porter, being the one and same person as Alice Duncan Porter, and her brother, Henry Dunklin, being the one and same person as Henry Duncan, and your affiant's father, G.W. Porter, and since the death of the said G.W. Porter and his wife, Alice Dunklin Porter, being the one and same person as Alice Duncan Porter, and since the death of Henry Dunklin, being the one and same person as Henry Duncan, that the heirs-at-law of the said G.W. Porter and wife, Alice Dunklin Porter, being the one and same person as Alice Duncan Porter, as named herein, have been, respectively, in the open, notorious, continuous, peaceable and adverse possession of said lands claiming said lands as his/her own, respectively, against all the world, and has regularly and continuously exercised acts of ownership over said lands, and regularly and continuously assessed said property, paying State and County taxes thereon, and that affiant has never heard the title of the said heirs-at-law of G.W. Porter and his wife, Alice Dunklin Porter, being the one and same person as Alice Duncan Porter, or those through whom they hold title to said lands to be questioned in any way; that said lands have been continuously and regularly used as a house site by the several owners herein named; parts of said lands have been cultivated, and timber has been cut from other parts of said land, from time to time.

Affiant further says that there is no power line across any part of the said above described lands, and particularly as to the Southeast Quarter of the Northwest Quarter of said Section 6, Township 22, Range 1 East.

Bentley Porter

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Sworn to and subscribed before me, on this the 2nd.,
day of May, 1952.

Paul O. Lusk
Notary Public, Shelby County,
Alabama.

STATE OF ALABAMA, I
SHELBY COUNTY.....I

Before me, Paul O. Lusk, a Notary Public, in and for
said County, in said State, personally appeared F.C. Nixon,
who, being first duly sworn deposes and says that he now
resides at Shelby, in Shelby County, Alabama: that he is familiar
with the lands described, and the facts set forth in the above
and foregoing affidavit signed by Gentley Porter, and that the
facts set forth therein are true; affiant further says that he
has known the lands and the parties named in said affidavit
for a period of sixty years, last past.

Rev. R. E. Newton

Sworn to and subscribed before me on this the 28th,
day of May, 1952.

Paul O. Lusk
Notary Public, Shelby County,
Alabama.

Filed in the office of the Probate Judge on the 21 day of July 1952 at 11 o'clock AM
and recorded in Book 157 Page 141 this 23 day of July 1952
Deed Tax _____ Mortgage Tax _____ has been paid.

L.C. Walker, Judge of Probate