

STATE OF ALABAMA)
Shelby COUNTY)

Before the undersigned a *Justice of Peace and* Notary Public in and for said County and State personally appeared Henry L. Brasher who being duly sworn on oath says:

That affiant is 62 years of age and has resided in Shelby County, Alabama all his life and has been well acquainted with NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 17, T. 19, Range 1 West in said County ever since it was acquired by R. P. Faulkner in 1910; That said R. P. Faulkner was affiant's half-brother, both having the same mother and that shortly after said R. P. Faulkner acquired said land in 1910 he (said R. P. Faulkner) built a house on it and lived in the house until it was accidentally burned about 1919.

That said R. P. Faulkner died on April 24, 1944; that Mrs. Della Faulkner wife of said R. P. Faulkner died on January 5 1928; that the youngest child of said Mrs. Della Faulkner is now above forty (40) years of age.

Affiant further says that said R. P. Faulkner was in possession of said land at the time he deeded same to Jonas Schwab on January 31, 1920 at which time said Jonas Schwab went into possession of said land and continued in such possession as hereinafter stated.

That affiant leased said land from said Jonas Schwab by written lease in 1931 for a period of 7 years and upon the expiration of such period affiant continued in such possession as the agent and tenant of said Jonas Schwab until the death of said Jonas Schwab on October 17, 1942 upon which Herold J. Schwab was appointed the Executor of said Jonas Schwab's estate and affiant by agreement with such Executor and as his agent and tenant remained in possession of said land until affiant bought a part of same from such Executor (see deed dated November 6, 1948 recorded in Deed Book 136 page 125 in the Office of the Probate Judge of said County); that at the time of such purchase said Herold J. Schwab as Executor through affiant as his tenant and agent was in actual possession of said land and delivered possession thereof to affiant as such purchaser.

That on November 6, 1948 affiant sold the part of such land which he had purchased from Herold J. Schwab as Executor to George Huddleston, Jr., and thereupon delivered possession thereof to him; that said George Huddleston, Jr., went into possession of such land, had it surveyed and laid off into lots having a map made thereof by the County Surveyor which map was filed for record in the Office of the Probate Judge of said County on June 24, 1949, built roads thereon and sold some of such lots to purchasers some of whom have built houses on said land and are now in possession of such lots.

Affiant states that beginning in 1931 and continuing down to the death of said Jonas Schwab affiant as his agent and tenant and for him and in his behalf affiant was in open, notorious and exclusive possession of said land adverse to the claims of all others and under claim of ownership by Jonas Schwab all without dispute or question on the part of anyone and that said Jonas Schwab asserted claim of ownership and possession by the following and other acts of possession, to-wit: Said Jonas Schwab claimed open and notorious possession, had the timber on said lands cut and removed, granted to the County a right of way for a highway through said NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 17, T. 19, R. 1 W, granted right of way to a power line along such highway, assessed said land for all taxes and paid all taxes thereon; that said Jonas Schwab publicly asserted his ownership thereof and that same was generally known to the neighbors as the land of said Jonas Schwab and that no other person claimed same; that as the agent of said Jonas Schwab affiant in 1931 built a house on said land in which affiant and his family lived for several years; that affiant cleared several acres of said land and cultivated it and raised crops thereon.

Affiant further states that no person by the name of J. W. Smith has lived in the neighborhood of said land for more than twenty years last passed and that he knows of his own knowledge that no J. W. Smith has been in possession of any part of said lands during said period and affiant never heard of J. W. Smith making any claim of ownership or other right thereon and that no John Bishop has been in possession

of any part of said land or made any claim thereon during said period and that neither J. W. Smith nor John Bishop have ever paid any taxes on any part of such land.

Justice of the Peace & Notary Public
Henry L. Brasher
his

Subscribed and sworn to by said Henry L. Brasher before the undersigned a Notary Public in and for said County and State on this the 26 day of Nov. 1952.

J. H. Moore
Notary Public
Justice of Peace

Filed in the office of the Probate Judge on the 1 day of Dec 1952 at 1 o'clock P M
and recorded in Deed Book 156 Page 514 this 3 day of Dec 1952
Deed Tax Mortgage Tax has been paid.

L. C. Walker, Judge of Probate