

4734

STATE OF ALABAMA)
SHELBY COUNTY)
Before me, Wales W. Wallace, Jr., a Notary Public for the State
of Alabama, at Large, personally appeared BURR HARRIS, who being known
to me and being by me first duly sworn, deposes and says as follows:
That he is sixty-two years of age and has been a bona fide
resident of Shelby County, Alabama all of his life. That he has been
acquainted with the occupation, use and possession of the following
described land since the early part of 1900, wiz:
Beginning at the Northeast corner of the SW¹/₄ of the
SW¹/₄ of SE¹/₄, of Section 34, Township 21, Range 4 West,
and run West a distance of 1320 feet to the Northwest
corner of said forty; thence South a distance of 795
feet; thence East 525 feet; thence in a southeasterly
direction 530 feet; thence East 596 feet; thence
North 105 feet; thence East 55 feet; thence North
1215 feet to point of beginning.
Further deposing, affiant says that when he first knew the
property S. M. Lawley, who is one and the same as Sam Lawley was living
on the land with his family and affiant understands that Sam Lawley had
built a log house on the land in the 1890's. That in about the year
1903 affiant knows that the said Sam Lawley built another house on the
above property which house was about on the east forty line of the
above property. That the land at that time was occupied by Sam Lawley
and his family, parts of the same being under fence and parts of the land
was cultivated by Sam Lawley and his family each and every year. There
was another house built on the property by Sam Lawley which I know was
occupied from time to time by tenants of Sam Lawley and in full recog-
nition of his title. Affiant further says that from the time he first
knew the land that Sam Lawley occupied the same actually, notoriously,
open, and continuously up until he sold the same to affiant in 1922
by warranty deed recorded in the Probate Office of Shelby County, Alabama
in Deed Book 69 at page 496.
Affiant married the daughter of the said Sam Lawley and affiant
and his wife built a home on the above described property prior to 1922,
and affiant knows that at that time Sam Lawley had been assessing said
property for taxes each year and paying the taxes regularly each year. In 1922,

and upon the execution of the above described deed, affiant took exclusive possession of the land above described and commenced to cultivate parts of the same and that affiant employed one Sol Smith, who continued to clear other parts of the land above described and affiant had also as tenants on said land one Jim Galloway and one Frank Harris, the latter occupying the land as said tenant for approximate ten years. That during the time affiant owned the property his possession was actual, exclusive, open, notorious, hostile, and continuous and he assessed the land for taxes each and every year and regularly paid the taxes each year. That during the entire time affiant has had any knowledge of the property, he never heard the title or possession of S. M. Lawley questioned and after taking the property he has never heard his title questioned in any way.

In 1945 affiant sold the above described property to J. R. Lowery by warranty deed which is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 120 at page 324. That upon the execution and delivery of the above described deed, the said J. R. Lowery went into possession of such above described land and started occupying the house which is on the land and which was built by ^{affiant} and ~~my~~ wife sometime prior to 1922. That affiant knows that upon the execution and delivery of the above deed the said J. R. Lowery went into actual possession of such land and started cultivating parts of the same and in fact cultivates parts of the land up to the date of this affidavit. That the said J. R. Lowery has assessed and paid the taxes regularly each year on said above described land since he went into possession in 1945 and his possession has been actual, exclusive, open, notorious, hostile and continuous since he went into possession. Affiant states that he has never heard the title of the said J. R. Lowery or any of his predecessor in title as shown above, questioned in any way.

Burr Harris

Sworn to and subscribed before me this
1st day of September, 1953.

Charles R. Galloway
As Notary Public

Filed in the office of the Probate Judge on the 10 day of Sept 1953 at 1 o'clock P M
and recorded in Deed Book P 162 Page 201 this 16 day of Sept 1953.
Deed Tax Mortgage Tax has been paid. L.C. Walker, Judge of Probate