

4737

STATE OF ALABAMA

BOOK 162 PAGE 205

SHELBY COUNTY

Before the undersigned authority, personally appeared C. C. Champion, who is known to me and who being by me first duly sworn deposes and says:

I am acquainted with the following land situated in Shelby County, Alabama, namely:

W $\frac{1}{2}$ of E $\frac{1}{2}$ of SE $\frac{1}{4}$ of Section 16; E $\frac{1}{2}$ of E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 21, all in Township 18 South, Range 1 East.

I have known this land over 50 years and have lived in that general neighborhood where this land is located during that time. I recall when R. E. Cosper sold the land to Isaac Smith and the deed evidenced in that transaction was dated May 28, 1910 and recorded in the Probate Office of Shelby County, Alabama in Deed Book 53 at page 504. Isaac Smith went into possession of the land immediately after execution of the last mentioned deed and lived upon it and cultivated portions of it each and every year until he died sometime in 1951, and during that time he was in actual, open, notorious, continuous, exclusive, hostile and adverse possession of said property claiming to own it, and as stated above, living upon it and cultivating portions of it each and every year during all of that time.

I was acquainted with W. C. Agee. He owned 60 acres in Section 20, Township 18 South, Range 1 East and 160 acres in Section 29, Township 18 South, Range 1 East, but he never did own any land in said Section 16 or said Section 21.

Said W. C. Agee was never in possession at any time of the land owned by Isaac Smith as above described, and from the date Isaac Smith purchased the land from R. E. Cosper and obtained a deed thereto no other firm, corporation or person was ever in possession of said land except Isaac Smith until the time of his death.

H. A. Finley never did have possession of any part of the W $\frac{1}{2}$ of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of said Section 16, but was in possession of the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of SE $\frac{1}{4}$ of said Section 16.

Neither Holcombe and Duran or Mrs. A. J. Holcombe were ever in possession of any of the Smith land in said Section 16. As a matter of fact nobody was in possession of the Smith land described in this affidavit, as I have stated, from the time Isaac Smith procured a deed from R. E. Cospers until he died.

This the 10th day of September, 1953.

C. C. Champion *C C Champion*

Sworn to and subscribed before me
this the 10th day of September, 1953.

Handy Ellis
Notary Public State of Ala. at Large

Filed in the office of the Probate Judge on the 10 day of Sept 19 53 at 1 o'clock P M
and recorded in Deed Book 162 Page 205 this 16 day of Sept 19 53.
Deed Tax Mortgage Tax has been paid. L.C. Walker, Judge of Probate