

2435

AFFIDAVIT

BOOK 105 PAGE 505

STATE OF ALABAMA

SHELBY COUNTY

Before me, Carl G. Harrison, the undersigned authority in and for said County, in said State, personally appeared A. B. Bristow, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is A. B. Bristow. I am 76 years of age and have been employed by Shelby Iron Company since 1916 and since the year 1922, I have been in charge of all the lands owned by said Company. Affiant further says that since the year 1916 he has been familiar with the following described land:

SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 8, Township 20, Range 1 West;
SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and W $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$; NE $\frac{1}{4}$ of NE $\frac{1}{4}$, all in
Section 23, Township 20, Range 1 West;

SW $\frac{1}{4}$ of SE $\frac{1}{4}$; S $\frac{1}{2}$ of SW $\frac{1}{4}$; N $\frac{1}{2}$ of NE $\frac{1}{4}$, all in Section 26, Township
20, Range 1 West;

Surface rights to S $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 35; Also NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and
SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 35; all in Township 20, Range 1 West;

NE $\frac{1}{4}$ of NE $\frac{1}{4}$; NE $\frac{1}{4}$ of SE $\frac{1}{4}$, all in Section 36, Township 20, Range 1 West;

SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 19, Township 21, Range 2 West;

SE $\frac{1}{4}$ of SW $\frac{1}{4}$; SW $\frac{1}{4}$ of SW $\frac{1}{4}$; NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 1;
SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 8;
NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 10;
NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 12;
SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 15;
N $\frac{1}{2}$ of SE $\frac{1}{4}$, Section 21;
NW $\frac{1}{4}$ of NE $\frac{1}{4}$ and E $\frac{1}{2}$ of NE $\frac{1}{4}$, Section 22;
NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 24;
W $\frac{1}{2}$ of SE $\frac{1}{4}$; E $\frac{1}{2}$ of E $\frac{1}{2}$ of E $\frac{1}{2}$ of SW $\frac{1}{4}$, Section 34;
All being in Township 21, Range 1 West;

S $\frac{1}{2}$ of SE $\frac{1}{4}$ and NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 9;
E $\frac{1}{2}$ of NW $\frac{1}{4}$; SW $\frac{1}{4}$ of NW $\frac{1}{4}$; NW $\frac{1}{4}$ of SW $\frac{1}{4}$ and all that part of SE $\frac{1}{4}$ of NE $\frac{1}{4}$
southeast of Louisville & Nashville Railroad Right of Way in
Section 11;

SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 14;
Fraction H or SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 20;
NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 23;
All being in Township 22, Range 1 West.

Also the W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 12, Township 22, Range 2 West.

Also NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 12, Township 24, Range 14 East;

Also SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 2;
NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 4;
SE $\frac{1}{4}$ of NW $\frac{1}{4}$ and W $\frac{1}{2}$ of SW $\frac{1}{4}$, Section 5;
Surface rights to SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 7;
SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 8;
E $\frac{1}{2}$ of NE $\frac{1}{4}$, Section 10;
NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 11; (surface rights only)
W $\frac{1}{2}$ of SW $\frac{1}{4}$, Section 13;
W $\frac{1}{2}$ of W $\frac{1}{2}$; SE $\frac{1}{4}$ of NW $\frac{1}{4}$; NE $\frac{1}{4}$ of SW $\frac{1}{4}$; NW diagonal half of SE $\frac{1}{4}$ of SW $\frac{1}{4}$
and SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 16;
W $\frac{1}{2}$ of NW $\frac{1}{4}$, Section 17; (surface rights only)
All being in Township 24, Range 15 East;

All the above lands being situated in Shelby County, Alabama.

Affiant further says that in 1916 when he went to work for Shelby Iron Company, said Company had several coalings located on the above described land, along with other lands belonging to said Company, and that the oak timber located on said land and other lands was cut from time to time and brought to said coalings and made into charcoal for use at said Company's furnaces at Shelby, Alabama. Affiant further says that he went upon, over and about said lands frequently from 1916 to this date and in fact, he says he has been upon the lands at least 3 or 4 times a year continuously from 1922 until this very day and during all that time, affiant says that Shelby Iron Company has been in actual, exclusive, hostile and continuous possession of said lands and that no person has ever questioned said Company's right of possession or title to said land during that time. During all of said years said lands owned by Shelby Iron Company and described in detail on Page 1 of this affidavit have either been enclosed by a fence or marked by land lines and that since 1933 the boundaries of said land have been marked by marked and painted lines.

Affiant further says that he recalls when Jemima Kendrick made an affidavit before him on March 23, 1949, which is recorded in Deed Book 138 Page 127 in the Probate Office of Shelby County, Alabama. Affiant says that it was the intention of Jemima Kendrick to state that T. L. Kendrick and wife, Louzie A. Kendrick owned SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 8, Township 20, Range 1 West, because in reality, that is what they did own and they lived on it until Mr. Kendrick's death and neither T. L. Kendrick, Louzie A. Kendrick nor anyone else has ever disputed Shelby Iron Company of Alabama or its predecessors in title ownership of or right of possession to SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 8, Township 20, Range 1 West.

Affiant further says that he has never heard of J. S. Hartsfield or W. B. Downs or Dan Davis or Rev. W. N. Poe claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and W $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 23, Township 20, Range 1 West. Affiant further says that he has never heard of W. H. Vick or his wife Emma Vick or S. J. Albright claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 23, Township 20, Range 1 West.

Affiant further says that Shelby Iron Company of Alabama's predecessors in title purchased $SE\frac{1}{4}$ of $SE\frac{1}{4}$ of Section 26, Township 20, Range 1 West, along with other lands from H. W. Nelson several years prior to 1890 and affiant has never heard of its title, ownership or possession being question by anyone. Affiant further says that he has never heard of H. W. Nelson, Columbiana Savings Bank, J. A. Epperson or Brown, Leeper & Koenig or anyone else claiming to own said land or contesting the ownership of Shelby Iron Company of Alabama or its predecessors in title or disputing its possession to said land. Affiant further says that neither I. J. Davis nor any other person named as makers in that certain deed dated May 8, 1922, to Shelby Iron Company, a corporation, and recorded in Deed Book 72 Page 60 in said Probate Office ever owned the $S\frac{1}{2}$ of $SW\frac{1}{4}$ of Section 26, Township 20, Range 1 West. Said persons did own some land north of $SE\frac{1}{4}$ of $SW\frac{1}{4}$ of said Section 26 and executed said deed to Shelby Iron Company merely for curative purposes. Affiant further says that he is familiar with the land owned by Josh Davis and he knows that Josh Davis does not own any interest in the $SE\frac{1}{4}$ of $SW\frac{1}{4}$ of said Section 26 and has never asserted any claim thereto and has never disputed the ownership of the Shelby Iron Company of Alabama or its predecessors in title. Josh Davis does own land lying immediately north of said $SE\frac{1}{4}$ of $SW\frac{1}{4}$ of said Section 26. Affiant further says that he has never heard of J. H. Davis or his wife, Etta Davis or Harmon Davis or anyone else caliming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to $N\frac{1}{2}$ of $NE\frac{1}{4}$ of Section 26, Township 20, Range 1 West.

Affiant further says that he has never heard of J. B. Elliott or his wife, E. E. Elliott, or A. W. Albright or N. T. Farmer or his wife, Fannie Farmer, or anyone else disputing the title or contesting the possession of Shelby Iron Company of Alabama or its predecessors in title to the surface rights to $S\frac{1}{2}$ of $NW\frac{1}{4}$ of Section 35, Township 20, Range 1 West. Affiant further says that he has never heard of Josh Davis or anyone else disputing the title to or contesting the possession of Shelby Iron Company of Alabama or its predecessors in title to the $NE\frac{1}{4}$ of $NW\frac{1}{4}$ of Section 35, Township 20, Range 1 West. Affiant further says that he has never heard of Ella Elrod or W. F. Jones and M. E. Jones, deceased, or their heirs at law, or anyone else disputing the title to or contesting the possession of Shelby Iron Company of Alabama or its predecessors in title to the $SE\frac{1}{4}$ of $SE\frac{1}{4}$ of Section 35, Township 20, Range 1 West.

Affiant further says that he has never heard of Samuel M. Pickler or anyone claiming to own any part of or asserting any interest in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36, Township 20, Range 1 West. Affiant says that he has never heard of John R. Dyke or L. A. Dyke or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 36, Township 20, Range 1 West.

Affiant further says that he has never heard of Southern Mineral Land Co. or Richmand E. Moore or Joshua Crim or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 19, Township 21, Range 2 West.

Affiant further says that he has never heard of Tint Merrell or his wife, Lillie Merrell or Alabama Power Company or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the SE $\frac{1}{4}$ of SW $\frac{1}{4}$, SW $\frac{1}{4}$ of SW $\frac{1}{4}$ and NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 1, Township 21, Range 1 West. Affiant further says that he has never heard of James Harrison or James T. Milstead or Johnston & White or John W. Johnston or J. T. White^{J. R. White}/or George R. Glynn or D. J. Glynn or Terrell Bice or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the W $\frac{1}{2}$ of SE $\frac{1}{4}$ of said Section 1, Township 21, Range 1 West.

Affiant further says that he has never heard of Burrell Davis or his wife, Ellen Davis or W. G. Parker or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 8, Township 21, Range 1 West.

Affiant further says that he has never heard of James Joiner or W. E. Harrison or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 10, Township 21, Range 1 West.

Affiant further says that he has never heard of W. G. Parker, E. A. Parker, Eli Neely, Tint Merrell or Alabama Power Company or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 12, Township 21, Range 1 West.

Affiant further says that he has never heard of Eddie C. Bradley or R. L. Bradley or Peter Perolio and his wife, Annie Perolio or Mrs. J. L. Spearman or anyone else

claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the $SE\frac{1}{4}$ of $NW\frac{1}{4}$ and $NW\frac{1}{4}$ of $NE\frac{1}{4}$, Section 15, Township 21, Range 1 West.

Affiant further says that he has never heard of J. L. Johnson or his wife Esten J. Johnson or R. L. Holcombe or Sam H. Goodwin or his wife, Myrtie Goodwin or Mary E. Wideman or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the $N\frac{1}{2}$ of $SE\frac{1}{4}$ of Section 21, Township 21, Range 1 West. Affiant further says that the Southern Railway does not run closer than two miles away from the land described in this paragraph.

Affiant further says that he has never heard of Lena McLeod or Alabama Power Company or the City of Columbiana or anyone else ever claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the $NW\frac{1}{4}$ of $NE\frac{1}{4}$ and $E\frac{1}{2}$ of $NE\frac{1}{4}$ of Section 22, Township 21, Range 1 West. Affiant is acquainted with where Lena McLeod's land is ^{it} and/is approximately six miles east of the land described in this paragraph.

Affiant further says that he has never heard of Gus Nathan, Martha Nathan or Shelby County Holding Company ever claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the $NW\frac{1}{4}$ of $NW\frac{1}{4}$ of Section 24, Township 21, Range 1 West.

Affiant further says that he has never heard of J. T. Leeper Estate or J. P. Christian, or B. W. Branch or W. B. Browne or anyone else ever claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the $W\frac{1}{2}$ of $SE\frac{1}{4}$, $E\frac{1}{2}$ of $E\frac{1}{2}$ of $E\frac{1}{2}$ of $SW\frac{1}{4}$ of Section 34, Township 21, Range 1 West.

Affiant further says that he has never heard of Marion C. Elkins or Mildred O. Kelley or anyone else ever claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the $NE\frac{1}{4}$ of $NE\frac{1}{4}$ of Section 9, Township 22, Range 1 West and neither has he ever heard of F. C. Sherrod or Marion C. Elkins or his wife, Billie G. Elkins, or F. W. Sherrod claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the $S\frac{1}{2}$ of $SE\frac{1}{4}$ of Section 9, Township 22, Range 1 West.

Affiant further says that he has never heard of Mrs. M. E. Morrison or her husband, R. N. Morrison, or David Brasher or Walter Brasher or John Greenlea or Etta Greenlea or anyone else ever claiming any interest in or asserting any title

to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the $E\frac{1}{2}$ of $NW\frac{1}{4}$, $SW\frac{1}{4}$ of $NW\frac{1}{4}$, $NW\frac{1}{4}$ of $SW\frac{1}{4}$ and all that part of $SE\frac{1}{4}$ of $NE\frac{1}{4}$ southeast of L & N Railroad right of way in Section 11, Township 22, Range 1 West.

Affiant further says that he has never heard of Averyt & Averyt or J. W. Burton or M. A. McSwain or C. P. Keith or anyone else ever claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the $SW\frac{1}{4}$ of $SW\frac{1}{4}$ of Section 14, Township 22, Range 1 West.

Affiant further says that he has never heard of Annie Harwell or W. P. Bearden or anyone else ever claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to Fraction H or the $SE\frac{1}{4}$ of $NE\frac{1}{4}$ of Section 20, Township 22, Range 1 West.

Affiant further says that he acknowledged a deed from R. C. Mixon to Effie Glass dated April 22, 1935, and recorded in Deed Book 96 Page 141 in the Probate Office of Shelby County, Alabama, which covered a house and lot in the Town of Shelby, Alabama. Affiant further says that said lot was described as being in $NE\frac{1}{4}$ of $NW\frac{1}{4}$ of Section 23, Township 22, Range 1 West; whereas, it should have been described as being in Section 24, Township 22, Range 1 West, and that ^{neither} R. C. Mixon nor Effie Glass have any interest or make any claim to ownership of any part of the $NE\frac{1}{4}$ of $NW\frac{1}{4}$ of Section 23, Township 22, Range 1 West.

Affiant further says that the land sometimes heretofore known as the "Mary A. Cooper land" and which was sold to James Watts Shvaff on January 16, 1899, as shown by deed recorded in Deed Book 21 Page 534 in said Probate Office cornered the southeast corner of $W\frac{1}{2}$ of $NW\frac{1}{4}$ of Section 12, Township 22, Range 2 West but that neither James Watts Shvaff, whose name is James Watts Schoff, nor any of the heirs in said deed, nor R. L. Holcombe nor Samuel M. Pickler nor Jesse W. Shoemaker nor his wife, Martie Shoemaker nor J. M. Gillespy have ever made any claim to said $W\frac{1}{2}$ of $NW\frac{1}{4}$ of said Section 12.

Affiant further says that he has never heard of L. D. Smith or his wife, Dashie Smith or Fred Merrell or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the $NW\frac{1}{4}$ of $NW\frac{1}{4}$ of Section 12, Township 24, Range 14 East.

Affiant further says that C. R. Montgomery and Vesta Montgomery do own the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 5, Township 24, Range 15 East but they have never owned or made any claim to NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 4, Township 24, Range 15 East.

Affiant further says that he has never heard of John Boyles or W. A. Crim or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 5, Township 24, Range 15 East. Affiant further says that he has never heard of J. D. McKenzie or F. B. Finch or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the W $\frac{1}{2}$ of SW $\frac{1}{4}$ of Section 5, Township 24, Range 15 East.

Affiant further says that he has never heard of T. W. Shrader or his wife, Telitha A Shrader, or Joseph Goetter or W. H. Shrader or his wife, L. N. Shrader or Goetter Weil & Company or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the surface rights to the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 7, Township 24, Range 15 East.

Affiant further says that he has never heard of William Goodwin or his wife, Sindia Goodwin, or Overton Goodwin or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8, Township 24 Range 15 East.

Affiant further says that he has never heard of J. M. Jones or his wife, Elizabeth Jones, or Alonzo Beard or Pinky Stone or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10, Township 24, Range 15 East.

Affiant further says that he has never heard of Mrs. Fannie Carden or James Curtis or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 11, Township 24, Range 15 East.

Affiant further says that he has never heard of William Merrell or his wife, Elizabeth Merrell, or William S. Merrell or ^{his wife,} M. C. Merrell, or Mrs. W. P. Morris or John T. Ellis or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors

in title to the $W\frac{1}{2}$ of $SW\frac{1}{4}$ of Section 13, Township 24, Range 15 East. Affiant further says that the land Mrs. W. P. Morris sold to John T. Ellis on May 15, 1942, as shown by deed recorded in Deed Book 117 Page 422 in said Probate Office six miles west of the land described in this paragraph.

Affiant further says that Shelby Iron Company of Alabama and its predecessors in title have been in possession of the $SW\frac{1}{4}$ of Section 16, Township 24, Range 15 East, except for the $SE\frac{1}{4}$ of $SE\frac{1}{4}$ of $SW\frac{1}{4}$ in which they only own the mineral rights, since 1916 to his own knowledge and it is common knowledge that they have been in possession of it since the year 1865 and that the lines bordering said land are well marked and no one has ever contested their possession or disputed their title. Affiant further says that neither T. W. Shrader or Joseph Goetter or Goetter, Weil & Company or W. H. Shrader have ever owned any of said land or made any claim thereto.

Affiant further says that he has never heard of J. A. Roller or J. W. Porter or anyone else claiming any interest in or asserting any title to or disputing the possession of Shelby Iron Company of Alabama or its predecessors in title to the $W\frac{1}{2}$ of $NW\frac{1}{2}$ of Section 17, Township 24, Range 15 East.

Affiant further says in connection with $E\frac{1}{2}$ of $NE\frac{1}{4}$ of $NW\frac{1}{4}$ of Section 36, Township 20, Range 1 West that in 1922 he became Land Manager for Shelby Iron Company and since that time has been upon the lands at least 3 or 4 times a year and Shelby Iron Company or Alabama and its predecessors in title have sold the timber from said land 3 times since it was purchased. Affiant further says that in reference to the $NW\frac{1}{4}$ of $NW\frac{1}{4}$ and $W\frac{1}{2}$ of $NE\frac{1}{4}$ of $NW\frac{1}{4}$ of Section 36, Township 20, Range 1 West, Shelby Iron Company of Alabama purchased the same from Fermon Foster on Dec. 23, 1937, as shown by deed recorded in Deed Book 100 Page 545 in the Probate Office of Shelby County, Alabama, and immediately after the same was purchased, affiant says he went upon the land and marked the lines with markers and paint and has been on the land some 3 or 4 times a year since the date it was purchased and that Shelby Iron Company of Alabama has sold the timber on the same 2 times since said land was purchased and affiant says that no one has ever contested the possession or disputed the title of said Shelby Iron Company of Alabama to said land.

Affiant further says that in reference to the $SE\frac{1}{4}$ of $NW\frac{1}{4}$ of Section 2, Township 21, Range 1 West, Shelby Iron Company of Alabama purchased the same from Jack Foster on December 23, 1937, as shown by deed recorded in Deed Book 100 Page 541 in said Probate Office and immediately after the same was purchased, affiant says he went upon the land and marked the lines with markers and paint and has been on the land some 3 or 4 times a year since the date it was purchased and that Shelby Iron Company

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of Alabama has sold the timber off the same 2 times since said land was purchased and affiant says that no one has ever contested the possession or disputed the title of said Shelby Iron Company of Alabama to said land.

Affiant further says that in reference to the E $\frac{1}{2}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 3, Township 21, Range 1 West, Shelby Iron Company of Alabama purchased the same from Ferman Foster on December 4, 1952, as shown by deed recorded in Deed Book 156 Page 594 in said Probate Office and immediately after the same was purchased, affiant says he went upon the land and marked the lines with markers and paint and has been on the land some 3 or 4 times a year since the date it was purchased. Affiant further says that he remembers said land from the time it was owned by W. E. Harrison in the year 1924 and that the said W. E. Harrison cut the timber off said land and was in actual possession of the same and had a sawmill near by until he sold it to Harry Ellis in 1928 as shown by deed recorded in Deed Book 83 Page 378 in said Probate Office. Affiant further says that the said Harry Ellis by the Tax Collector failed to pay the taxes on the same and it was sold/on July 7, 1930, to H. Moore as shown by Tax Sale Record 10 Page 264 in said Probate Office. The said H. Moore went into immediate possession of said land and cut the timber off the same and was in actual possession of it until he sold it to Sam Horton on May 27, 1936, as shown by deed recorded in Deed Book 100 Page 283 in said Probate Office. The said Sam Horton, being one and the same person as S. C. Horton, remained in possession of the same until he sold it to Will Jackson on February 24, 1937, as shown by deed recorded in Deed Book 100 Page 552 in said Probate Office. The said Will Jackson moved upon said land and lived on it and cultivated parts of it until he sold it to A. F. Davis in January 1946, as shown by deed recorded in Deed Book 122 Page 402 in said Probate Office. The said A. F. Davis went into possession of said land and held the same until he sold it to Ferman Foster and wife, Jewell Foster on February 23, 1948, as shown by deed recorded in Deed Book 132 Page 135 in said Probate Office. The said Ferman Foster went into immediate possession of the same and cut the timber on it and remained in possession of it until he sold the same to Shelby Iron Company of Alabama, as mentioned above. Affiant says that Shelby Iron Company of Alabama has sold the timber off the same one time since said land was purchased and he has not heard of anyone contesting the possession or disputing the ownership of said Shelby Iron Company of Alabama to said land.

Affiant further says that Eveline Cross, sometimes known as Evaline or Emoline Cross, lived on the SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 2, Township 24, Range 15 East for some 40 years prior to the time she mortgaged the land to J. J. Lovett and then made him

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in the year 1922.

a deed to it/ J. J. Lovett went into possession of the land and continued in
actual possession of it until he conveyed the same to Shelby Iron Company on March
16, 1928, as shown by Deed recorded in Deed Book 75 Page 633 in said Probate Office.
Immediately after the same was purchased by said Company affiant says he went upon
the land and marked the lines with markers and paint and has been on it some 3 or
4 times a year since that time and affiant says that Shelby Iron Company has sold
the timber off the same 3 times since said land was purchased and he has not heard
of anyone contesting the possession or disputing the ownership of said Shelby Iron
Company of Alabama or its predecessors in title to said land.

A. B. Bristow
A. B. Bristow

State of Alabama

Shelby County

Sworn to and subscribed to by A. B. Bristow before me this the 3
day of April, 1953.

Harold Harrison
Notary Public in State of
Alabama



Filed in the office of the Probate Judge on the 8 day of April 1954 at 4 o'clock
M. and recorded in Deed Book 165 Page 505 this 15 day of April 1954.
Deed Tax _____ Mortgage Tax _____ has been paid. L.C. Walker, Judge of Probate