

AFFIDAVIT

STATE OF ALABAMA

SHELBY COUNTY

Before me, A. B. Bristow, the undersigned authority in and for said county in said state, personally appeared Robert C. Mixon, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is Robert C. Mixon. I am 85 years of age. I formerly owned the following described land:

SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18, Township 24, Range 15 East,
Shelby County, Alabama.

In fact, I purchased the same along with the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 18 from Thomas M. Davis and his wife and R. B. Jordan and his wife on August 25, 1900, as shown by deed recorded in Deed Book 27 Page 101 in the Probate Office of Shelby County, Alabama. My brother, June Mixon, furnished part of the purchase money and he was to own the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 18. I went into immediate possession of said SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 18 and located the boundaries on it and established them and watched the land carefully and went upon the land several times each year and during four or five years, I lived on the land adjoining it and I obtained fire wood and building timber from it and sold the timber from it two times while I owned it. Affiant further says that during all these years he paid taxes on it each and every year and during all the years no one ever contested his possession or disputed his title to said land. Affiant further says that there has been called to his attention a deed from affiant to June Mixon dated March 5, 1910 and recorded in Deed Book 43 Page 212 in the Probate Office of Shelby County, Alabama, which conveyed the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 18, Township 24, Range 15 East in Shelby County, Alabama. Affiant says that it was not his intention to convey the land described in said deed to June Mixon, as June Mixon never owned and never claimed said land during his entire lifetime but that it was affiant's intention to convey to June Mixon the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 18, Township 24 Range 15 East. Affiant says that June Mixon went into immediate possession of said NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 18 and he went upon it from time to time and checked the lines and paid the taxes each and every year until several years ago when the same was sold for taxes and/it was purchased by Paul O. Luck.

In connection with a mortgage from affiant to Harry Gordon dated July 26, 1941, on said land and recorded in Mortgage Book 185 Page 64 in said Probate Office, affiant says he paid said mortgage during the life of Harry Gordon several years ago and he has a receipt showing that the same has been paid, but through some oversight Mr. Gordon failed to satisfy the records.

Affiant further says he sold said land to Shelby Iron Company in January 1951, as shown by Deed recorded in Deed Book 144 Page 143 in said Probate Office.

Robert C. Nixon
Robert C. Nixon

State of Alabama
Shelby County

Sworn to and subscribed to by Robert C. Nixon before me this the 17th day of May, 1953.

D. R. Minter
Notary Public

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| Filed in the office of the Probate Judge on the <u>26</u> day of <u>April</u> 19 <u>54</u> at <u>4</u> o'clock | |
| M. and recorded in <u>Deed</u> Book <u>166</u> Page <u>132</u> this <u>24</u> day of <u>April</u> 19 <u>54</u> | |
| Deed Tax _____ | Mortgage Tax _____ has been paid. |
| L.C. Walker. Judge of Probate | |