

STATE OF ALABAMA, X
JEFFERSON COUNTY...X

Before me,

Paul LaBelle Coen

, a Notary

Public, in and for said County, in said State, personally appeared Myra Browne Koenig, who, being first duly sworn, deposes and says that she now resides at 1815 Wellington Road, in Birmingham, Alabama, but that she formerly resided in Columbiana, Alabama; that she is a great granddaughter of John W. Roper and wife, Elizabeth M. Roper, who later married Alphonso A. Sterrett; that for more than fifty years, last past, she has been acquainted with the location, the ownership, parties in possession of the following described lands situated in Shelby County, Alabama, to wit:

The East Half of the Southeast Quarter of Section 6; and the South Half of the Southwest Quarter of Section 5; and the West Half of the Northeast Quarter; and all of the Southeast Quarter of Section 7; and the East Half of the Northwest Quarter of Section 8; and the Northwest Quarter of the Southeast Quarter of Section 8; and the North Half of the Southwest Quarter, and the Southwest Quarter of the Southwest Quarter of Section 8; and the Northwest Quarter of the Northwest Quarter of Section 17; and the Northeast Quarter of the Northeast Quarter of Section 18; all in Township 21, South, Range 1 West, and containing 720 acres, and formerly known as the Roper Farm, and in later years known as the Browne Lnds, and all situated in Shelby County, Alabama.

Affiant further says that she is a great granddaughter of John W. Roper and his wife, Elizabeth M. Roper, (who later married Alphonso A. Sterrett, on August 24th., 1850), and affiant is the daughter of Elizabeth M. Roper Browne, who was named for her Grandmother, Elizabeth M. Roper, the wife of John W. Roper, but affiant's Mother was always known and called Lizzie M. Roper (Browne,) and it was by this name that she was married to affiant's father, William Bradford Browne, being the one and same person as W. B. Browne, and sometimes called "Brad" Browne, said marriage certificate being of record in Marriage Record 1885-1888 on page 17, in the office of the Judge of Probate of Shelby County, Alabama,

and dated October 5th.,1885.

Affiant further says that the family Bible of John W. Roper, and his wife, Elizabeth M.Roper,(later Elizabeth M. Roper Sterrett), shows the marriages, births, and deaths of their descendants, and that this family Bible is now, and has been for ^{more} /than thirty years, last past, in the possession of your affiant, and that the entries written therein, showing the names, dates of births, dates of marriages, and deaths, bear the date thereof, and the true date thereof, according to the history and traditions of the John W.Roper and Elizabeth M.Roper, and their descendants' families, such history and traditions having been handed down through records and oral transmissions; that affiant is having such records as shown in said family Bible recorded in the office of the Judge of Probate of Shelby County, Alabama.

Affiant further says that from her own personal knowledge, and from the history and traditions made known to her by her ancestors, of the facts set forth in said family Bible of the said John W.Roper, she believes and so states, upon such knowledge, belief, history, and traditions that the facts set forth therein as to the births, marriages, and deaths of the parties named therein are true and correct.

Affiant further says that the record set forth in the family Bible of the said John W.Roper further shows that John W.Roper and Elizabeth M.Sullins were married on January 1st., 1833, and as the fruits of said marriage there were born two sons, namely, Samuel B.Roper and Walter C.Roper; that John W. Roper died testate on April 16, 1846, and left surviving him as his sole heirs at law and next of kin, and as his devisees, his wife, Elizabeth M.Roper, and two sons, namely, Samuel B.Roper and Walter C.Roper; that Walter C.Roper died intestate and unmarried and without issue on April 16, 1856, while a student at the University of Alabama, Tuscaloosa, Alabama, and left surviving him his Mother, Elizabeth M.Roper Sterrett, who was married to Alphonso A.Sterrett on August 24, 1850, (Marriage Record 1850,

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on page 5, in the office of the Judge of Probate of Shelby County, Alabama), and one brother, namely, Samuel B. Roper; that Samuel B. Roper married Emma Louisa Parker on November 7, 1866, and as the fruits of said marriage only one child was born, namely, Elizabeth Mary Roper, who was named for her Grandmother, Elizabeth M. Roper (Sterrett), but the said Elizabeth Mary Roper, the said daughter of Samuel B. Roper, was always known and called Lizzie M. Roper (Browne), to make a differentiation from that of her Grandmother; that the said Lizzie M. Roper was married to William Bradford Browne, being the one and same person as W. B. Browne, and sometimes known as "Brad" Browne, in Shelby County, Alabama, (Marriage Record 1885-1888, on page 17, in the office of the Judge of Probate of Shelby County, Alabama), on 5th. day of October, 1885.

Affiant further says that Samuel B. Roper died intestate on May 23, 1884, and left surviving him his widow, Emma L. Roper, and only one child, namely, Lizzie M. Roper (Elizabeth M. Roper), as his sole heir at law, and his Mother, Elizabeth M. Roper Sterrett, the widow of Alphonso A. Sterrett, deceased; that Elizabeth M. Roper Sterrett, the widow of Alphonso A. Sterrett, sometimes known as A. A. Sterrett, who died during the year 1876, intestate, died intestate leaving as her sole heir at law and next of kin Lizzie M. Roper Browne, the daughter of Samuel B. Roper, deceased, and the Mother of your affiant, there being no children born as the fruits of the marriage of Alphonso A. Sterrett and Elizabeth M. Roper Sterrett.

Affiant further says that her Mother, Lizzie M. Roper Browne, departed this life in Shelby County, Alabama, on September 7, 1911, intestate, and left surviving her her husband, William Bradford Browne, being the one and same person as W. B. Browne and the following children, namely: Chester Browne; Margaret Browne, now Margaret Browne Broughton; Myra Browne, now, Myra Browne Koenig; William Bradford Browne, Jr.; Emma Browne; Elizabeth Browne, as her sole heirs at law and next of kin.

Affiant further says that William Bradford Browne, the father of your affiant, departed this life on November 30, 1918;

that the said William Bradford Browne died intestate, and being a widower at the time of his death, and left surviving him as his sole heirs at law and next of kin four daughters and one son, namely: Chester Browne; Margaret Browne (Broughton); Myra Browne Koenig; Emma Browne; and Elizabeth Browne; affiant further says that her brother, William Bradford Browne, Jr., departed this life intestate, unmarried, and without issue, on December 2nd., 1912, and left surviving him, as his sole heir at law, his father, William Bradford Browne, and his brother, Chester Browne, and his four sisters, namely, Margaret Browne (Broughton); Myra Browne Koenig; Emma Browne; and Elizabeth Browne; affiant further says that her brother, Chester Browne, departed this life intestate, unmarried, and without issue, on April 22nd., 1940, and left surviving him, as his sole heirs at law and next of kin, his four sisters, namely, Margaret Browne Broughton; Myra Browne Koenig; Emma Browne; and Elizabeth Browne.

Affiant further says that she has never known, or heard, nor do the traditions establish any account, or occasion that Henry H. Wilson ever owned, claimed to own, or was in possession of any part of the lands described in this affidavit, nor has Robert B. Gorsuch, Coosa Valley Oil and Mining Company, nor Thomas Leach ever been in the possession, or exercised any control, right, or privileges concerning the mineral oil upon any part of the lands described in this affidavit; affiant further says that she has never heard or known, nor does the history of the above described lands give any account of George L. Armstrong, Sarah J. Armstrong, John W. Rice, Joseph Verchot, H. T. DeBardleben, Saginaw Lumber Company, J. G. Davis, L. B. Davis, Henry Milner, W. M. Davis, P. P. Davis, J. F. Archer, James M. Dedman, Mary M. Parker, Maggie M. Arcardi, Lester-Mason Company, Mrs. M. M. Pond or Burrell Davis making any claim, or being in the possession, or exercising any control over any of the lands described in this affidavit.

Affiant further says that the history, traditions, and facts concerning the title and possession of the above described lands

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show that the above described lands have been in the open, notorious, continuous, peaceable, and adverse possession of John W. Roper, his wife, Elizabeth M. Roper Sterrett, and their descendants, continuously since about the year 1840, and that for a number of years prior to the Civil War the said John W. Roper and family, as named herein, cultivated a large part of said lands in agricultural crops with slaves, and that for a number of years after the Civil War the heirs of John W. Roper were in the continuous possession of said lands and used the same for farming purposes and for timber growing purposes; affiant further says from history and tradition of the Roper heirs, and of her own personal knowledge, she knows that Elizabeth M. Roper Sterrett remained in the continuous, adverse possession of the said lands until her death in 1894, and after her death, William Bradford Browne, Sr., the father of your affiant, acted as Agent for Lizzie M. Roper Browne, who had inherited said lands from her Grandmother, Elizabeth M. Roper Sterrett, and continued in the actual, adverse possession and supervised the use of said lands for his said wife until his death in 1918, and after the death of the said William Bradford Browne, Sr., Fred G. Koenig, Sr., the husband of your affiant, became Agent of the heirs at law of Lizzie M. Roper Browne, and continued as such Agent of such heirs, as set forth herein, continuously until the date of his death on July 21st., 1949, and during said time, said Agent was in the continuous and adverse possession of said lands for said heirs, and rented a part of said lands for agricultural purposes and sold said timber from other parts of said lands; affiant further says that upon the death of her husband, Fred G. Koenig, Sr., that Fred G. Koenig, Jr., the son of your affiant, became Agent and representative of the heirs of Lizzie M. Roper Browne, and has remained in the open, notorious, and continuous possession of said lands as the Agent of said heirs, as aforesaid, to this date.

Affiant further says of her own personal knowledge, and from the history and traditions made known to her by her ancestors, she knows that for more than one hundred years, last past,

STATE OF ALABAMA, SHELBY COUNTY
 I, L. C. Walker, Judge of Probate, hereby certify that the within
 was filed for record the _____ day of _____, 19____, at _____ o'clock _____ M.
 and recorded in _____ Page _____, and the Mortgage Tax of _____
 _____ Deed Tax of _____ has been paid. L. C. Walker Judge of Probate

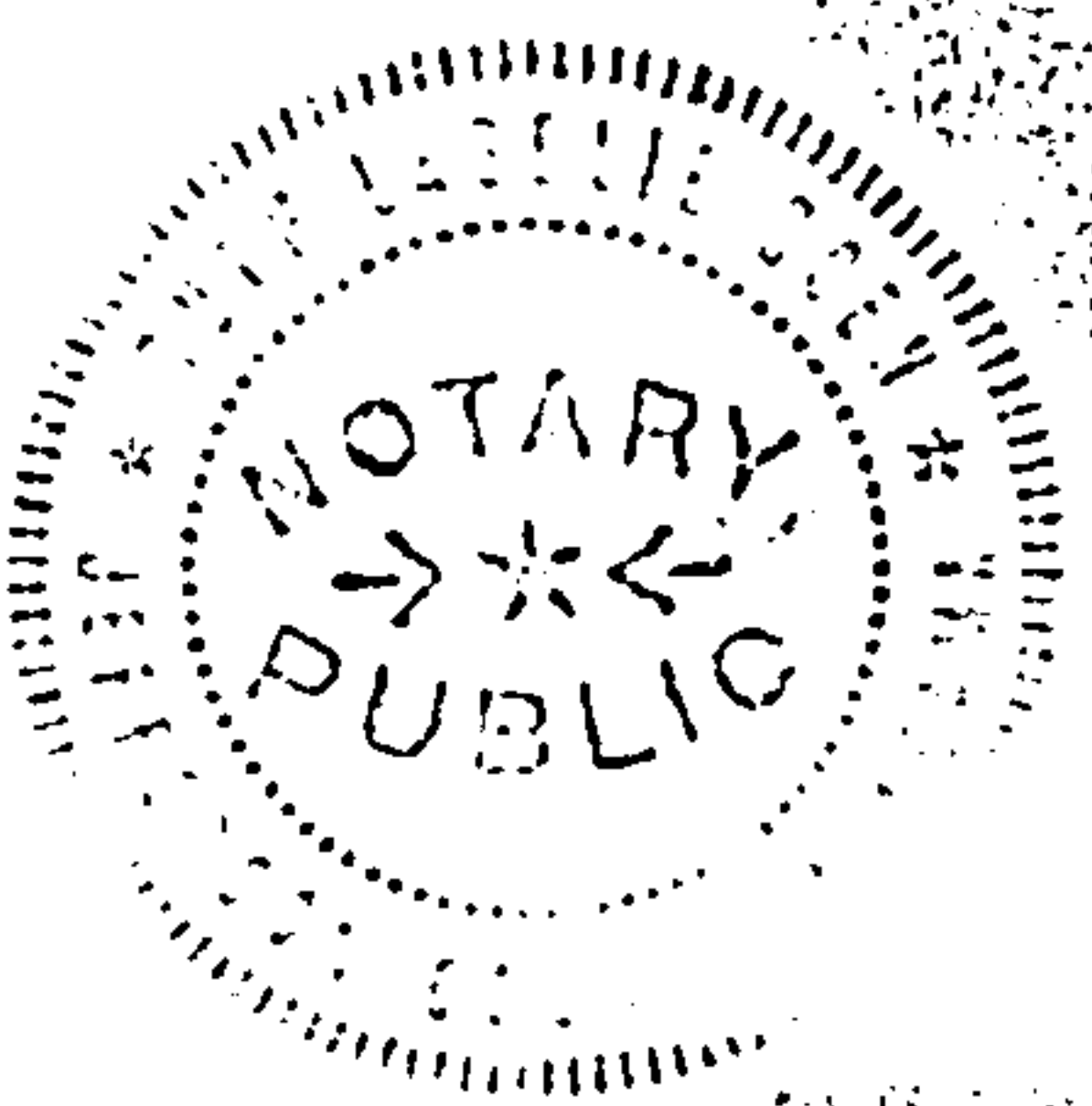
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Margaret Browne Broughton, Myra Browne Koenig, Emma Browne, and Elizabeth Browne, and those through whom the said Margaret Browne Broughton, Myra Browne Koenig, Emma Browne, and Elizabeth Browne hold title, namely, William Bradford Browne, Sr., Lizzie M. Roper Browne, Chester Browne, William Bradford Browne, Jr., Elizabeth M. Roper Sterrett, John W. Roper, Walter C. Roper, Samuel B. Roper, Charles Coleman, and wife, Caroline M. Coleman, Phillip P. Lewis, John Johns, respectively, to the above described lands, each has been, respectively, in the open, notorious, continuous, peaceable, and adverse possession of said lands claiming said lands as their own, respectively, against all the world, and regularly exercising acts of ownership over said lands by the cultivation of the same in agricultural crops, in pasture, and in the use of other parts of said lands for the growing of timber, and regularly and continuously assessing the same for State and County taxes and the payment thereof.

Myra Browne Koenig
Myra Browne Koenig.

Sworn to and subscribed before me, on this the 8th day of April, 1954.

Rud LaBelle Coen
Notary Public, Jefferson County,
Alabama.



STATE OF ALABAMA, SHELBY COUNTY	
I, L.C. Walker, Judge of Probate, hereby certify that the within	<u>Deed</u>
was filed for record the <u>23</u> day of <u>April</u> , 19 <u>54</u> , at <u>8</u> o'clock <u>PM</u> .	
and recorded in <u>Deed</u> Record <u>168</u> Page <u>343</u> , and the Mortgage Tax of	
Deed Tax of _____	has been paid.
<u>L.C. Walker</u>	Judge of Probate