

1796

STATE OF ALABAMA, X  
SHELBY COUNTY.....X

BOOK 178 PAGE 113

Before me, the undersigned authority, in and for said County, in said State, personally appeared John Helgreen, who, being first duly sworn, deposes and says that he resides in Calera, Alabama; that for a period of more than fifty years, last past, he has been acquainted with the location, boundaries, use, ownership, and parties in possession of the following described lot of land in the Town of Calera, Alabama, to-wit:

Commencing at the point of intersection of the East right of way line of the Birmingham-Montgomery Highway, United States Highway, No. 31, being also known as 12th. Street, or Montgomery Avenue, in the Town of Calera, Alabama, with the center line of the Louisville and Nashville Railroad Company's "Y" track, in the Town of Calera, Alabama, and run thence North 2 degrees 53 minutes East for a distance of 662.13 feet to an iron pin for a point of beginning of the lot hereinafter described: Run thence South 88 degrees and 45 minutes East for a distance of 240.10 feet to an iron pin on the West right of way line of the "Y" track of said Louisville and Nashville Railroad Company; run thence North 13 degrees and 15 minutes East along the West right of way line of said "Y" track, for a distance of 76.64 feet to an iron pin; run thence North 88 degrees and 45 minutes West for a distance of 253.92 feet to an iron pin on the East right of way line of said 12th. Street, or Montgomery Avenue; run

thence South 2 degrees and 53 minutes West for a distance of 75 feet to the point of beginning, marked by an iron pin, and being the same lot heretofore described as follows:

Commencing at a point on the East side of Montgomery Avenue 250 feet South of R.C. Scoggins' Southwest corner at an iron stob, being the Southwest corner of the lot deeded to S.M. Tomlin, and running thence South with said Montgomery Avenue 75 feet; run thence East to the right of way of the South and North Alabama Railroad Company, now the Louisville and Nashville Railroad Company, run thence North parallel with said South and North Railroad Company right of way now the Louisville and Nashville Railroad Company's right of way for a distance of 75 feet; run thence West to the Montgomery Avenue to the point of commencement, it being a part of the land described as Lots Nos. 2 and 3 of the map of Calera, Alabama, drawn by the South and North Alabama Railroad Company, showing the subdivisions of lands between the said South and North Alabama Railroad Company, Jesse Kelley and others, all situated in the Southwest Quarter of the Northeast Quarter of Section 21, Township 22, South Range 2 West.

Affiant further says that when he first knew the above described lot that the same was owned and claimed by the Alabama Cooperage Company, and this Company later conveyed said lot to H. Aronson and Max Kolodner, and later the interest of H. Aronson was purchased by M. Kolodner, who was a merchant and resident of Calera, Alabama.

Affiant further says that N.B. Robinson purchased said lot



from Max Kolodner, on or about the 27th. day of September, 1922, and went into the immediate possession of said lot and resided thereon and used the same as his homestead until the date of his death; during the year 1948.

From and after the date of the death of the said N.B. Robinson, the same was used and occupied by his widow, Lula Robinson, as a homestead, until the date of the sale by the widow and heirs at law of N.B. Robinson to O.C. Farris, by deed dated December 5, 1955, said deed being recorded in Deed Book 176, on page 523 in the office of the Judge of Probate of Shelby County, Alabama.

Affiant further says that of his own personal knowledge he knows that for more than forty-five years, last past, that O.C. Farris and those through whom the said O.C. Farris holds title, <sup>N.B. Robinson</sup> namely, Lula Robinson, Lena Nichols, Eural Raymond Allen, M. Kolodner, H. Aronson and M. Kolodner, Alabama Cooperage Company, to the above described lands, have been, respectively, in the open, notorious, continuous, peaceable, and adverse possession of said lot of land, claiming the same as his/her/their own against all the world, and regularly and continuously exercising acts of ownership over said lot, and using the same as a homestead and house site, and that affiant has never heard the title of the said O.C. Farris, or those through whom he holds title to said lands to be questioned by anyone.

Affiant further says that there has been a dwelling upon said lot for more than forty years, last past, and that the same has been occupied continuously by the several owners, as afore-said, as a residence, or homestead, and that the lines and boundaries of said lots have never been disputed or questioned by anyone in so far as your affiant has ever known or heard.

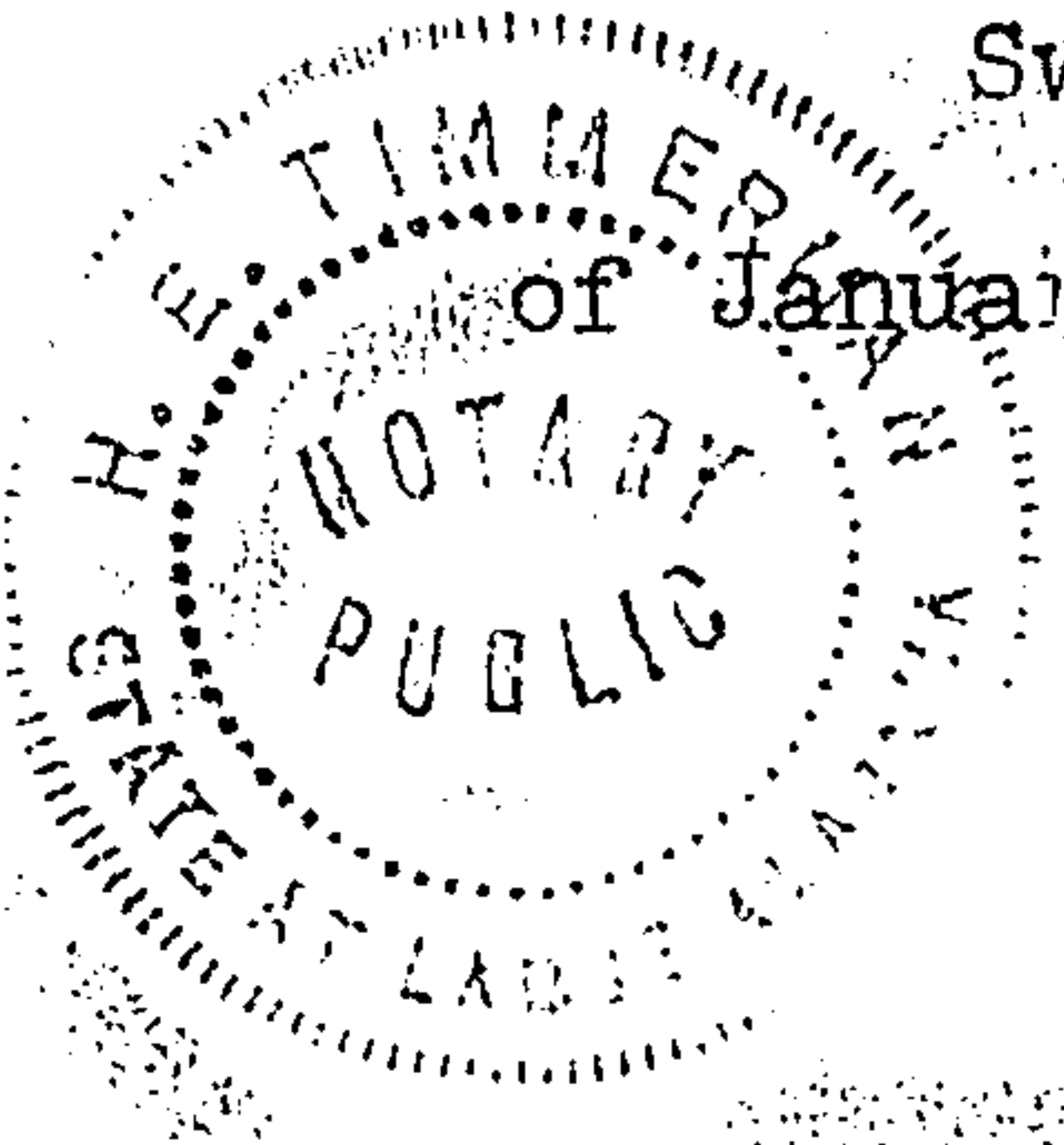
Affiant further says that he knows of his own personal knowledge that neither Sallie Doak, S.M. Tumlin, R.C. Scoggins, Mamie Moss, has been in the possession or made any claim to said lot during the past forty-five years.

Affiant further says that of his own personal knowledge

he knows that for more than forty-five years, last past, that no part of said lot has been used, dedicated, or claimed as a street, right of way, or public thoroughfare of the Town of Calera, Alabama, or by the public, in any way.

J. M. Freeman

Sworn to and subscribed before me, on this the 25 day of January, 1956.



H. Timmerman  
Notary Public, Shelby County,  
Alabama.



Before me, the undersigned authority, in and for said County, in said State, personally appeared J.P. Edwards and J.W. Anderson, who, being first duly sworn, depose and say that they reside in Calera, Alabama; that for a period of more than 35 years, last past, they have been acquainted with the location, use, and the owners of the lot of land described in the above and foregoing affidavit signed by \_\_\_\_\_.

Affiants further say that when they first knew the above described lot that the same was claimed by Max Kolodner, and that he was in the possession of the said lot, and that on or about September 27, 1922, Max Kolodner conveyed said lot to N.B. Robinson, who went into the immediate possession of said lot and resided thereon as a homestead continuously from that date until the date of his death sometime on or about June 29, 1948, and that since the date of the death of the said N.B. Robinson, his widow, Lula Robinson, continued to reside thereon as a homestead until the date of the sale by Lula Robinson and the heirs at law of N.B. Robinson, deceased, to O.C. Farris, on or about December 5, 1955.

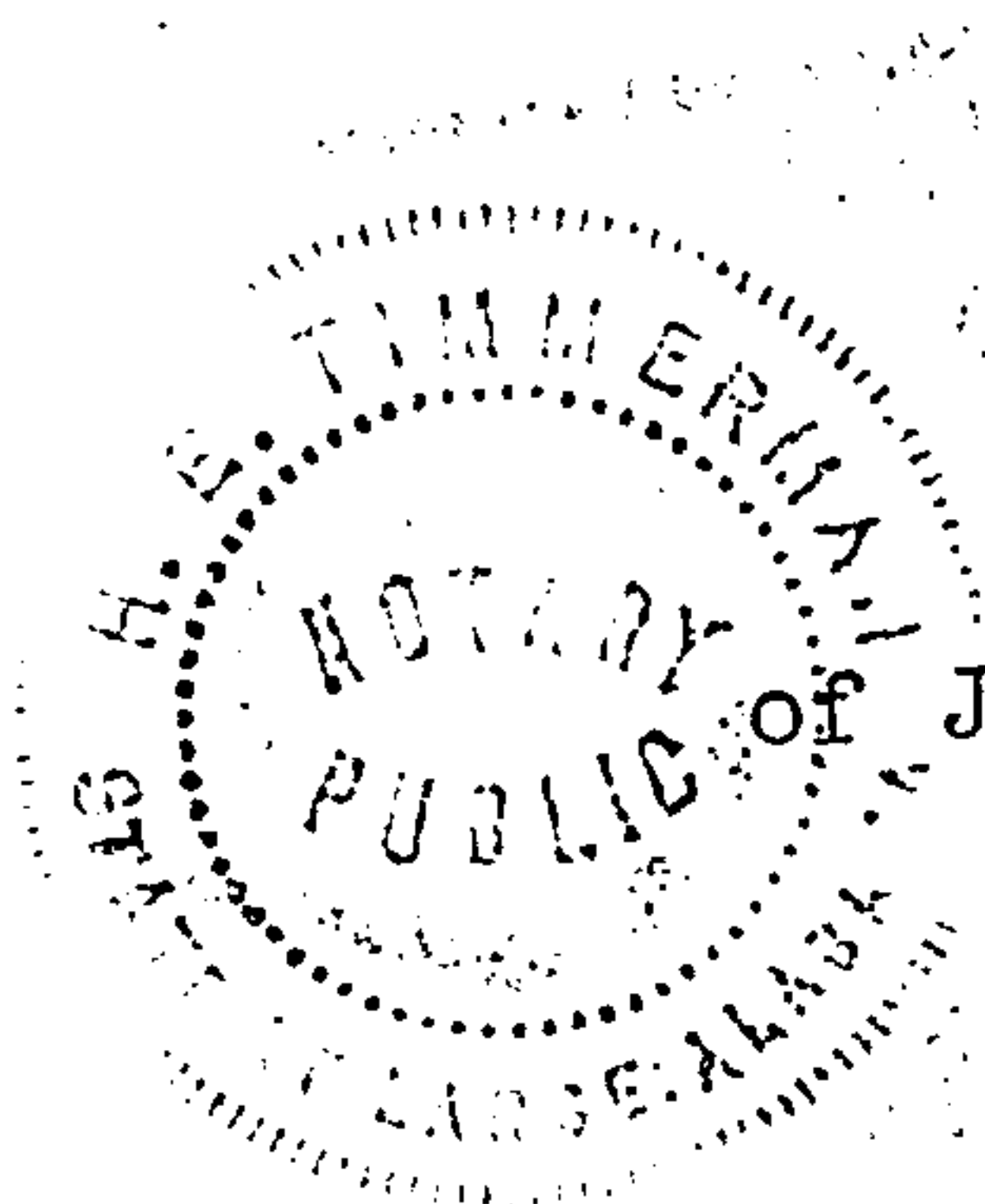
Affiants further say of their own personal knowledge that they know that for more than 30 years, last past, that O.C. Farris and those through whom the said O.C. Farris holds title, namely, the widow and heirs at law of N.B. Robinson, N.B. Robinson, and M. Kolodner to the above described lot, have been, respectively, in the open, notorious, continuous, peaceable and adverse possession of said lot, claiming said lot as his/her/their own, respectively, against all the world, and regularly exercising acts of ownership over said lot by using the same as a homestead continuously until the date of the sale of said property to O.C. Farris; that your affiants have never heard the title of the said O.C. Farris, or those through whom he holds title to said lot to be questioned in any way, nor have they heard the lines and boundaries of said lot to be questioned or disputed.

Affiants further say that they have never heard or known of S.M.Romlin, Sallie Doak, or R.C.Scoggins ever being in the possession of said property or making any claim in or to said lot.

Affiants further say that they know of their own personal knowledge that for more than 30 years, last past, that no part of said lot has ever been dedicated, used, or claimed by the Town of Calera, Alabama, or by the public as a public road, or street, or passageway in any form.

J. R. Edwards  
J. W. Anderson

Sworn to and subscribed before me, on this the 25 day of January, 1956.



H. E. Timmerman  
Notary Public, Shelby County,  
Alabama.

STATE OF ALABAMA, SHELBY COUNTY  
I, L. C. Walker, Judge of Probate, hereby certify that the within  
was filed for record the 8 day of April 1956 at 10 o'clock PM.  
and recorded in Book 178 Page 113 and the mortgage tax of         
Deed Tax of        has been paid.  
Judge of Probate