

1600

Affidavit

STATE OF ALABAMA)
SHELBY COUNTY)

BOOK 185 PAGE 48

Before me, the undersigned authority in and for said County, in said State, this day personally appeared W. J. Bailey and Cecil Bailey, known to me, who being by me first duly sworn, depose and say:

We are the sons of F. O. Bailey, who died at his home in Beat #12, Shelby County, Alabama during the month of August, 1956. In 1921 our father purchased and entered upon the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SE diagonal half of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 15, Township 19 South, Range 2 West, in Shelby County, Alabama, being then the owner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, Township 19 South, Range 2 West, in said County in said State, and these properties, together with other properties constituted his farm, which he fenced, cultivated, occupied, improved and was in the open, notorious, continuous, peaceable and adverse possession thereof, claiming them as his own against all the world and regularly exercising acts of ownership over them during the period from the abovementioned date of purchase until the time of his death (except such portions thereof as he conveyed from time to time to his children). Said lands were part of the lands which were patented to our great grandfather, Frederick Bailey, whose children, grandchildren and great grandchildren have lived in this locality nearly 100 years. The locality is known as Bailey's Gap, which is the gap made by the Old Caldwell Mill Road where it goes over New Hope Mountain just beyond our father's said home. Throughout our childhood and young manhood we worked with our father on said land on which we hunted, fished and whose boundaries we knew. After our father's death all of his debts and his funeral expenses were paid in full and so much of the above described lands as had not already been given to his children was divided between them by deeds of conveyance executed by the widow and surviving children for the purpose of making such distribution.

We further certify that our father left surviving him as his sole heirs at law his widow, whose name appears in title papers as "Rushia", "Rusha" and "Jerusha Bailey", who was always one and the same person, and the following children, namely: Viola Bailey Fulmer, Howard Bailey, Lewis Bailey, Bruce Bailey, Leonard Bailey, Lillie Bailey Fulmer, Frank Bailey, Jr., Annie Joyce Bailey Rasco, W. J. Bailey and Cecil Bailey; and that he did not leave any other surviving children or descendants of any deceased children surviving him.

We further certify that no other person than our father and his children have ever claimed any of the lands hereinabove described, nor was the title of our father or those through whom he held title and those who held title under him, ever questioned in any way whatsoever.

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We further certify that the acts of possession and ownership mentioned in this affidavit refer only to the surface rights to this land and have no reference to the mineral rights therein.

W. J. Bailey

W. J. Bailey, Affiant

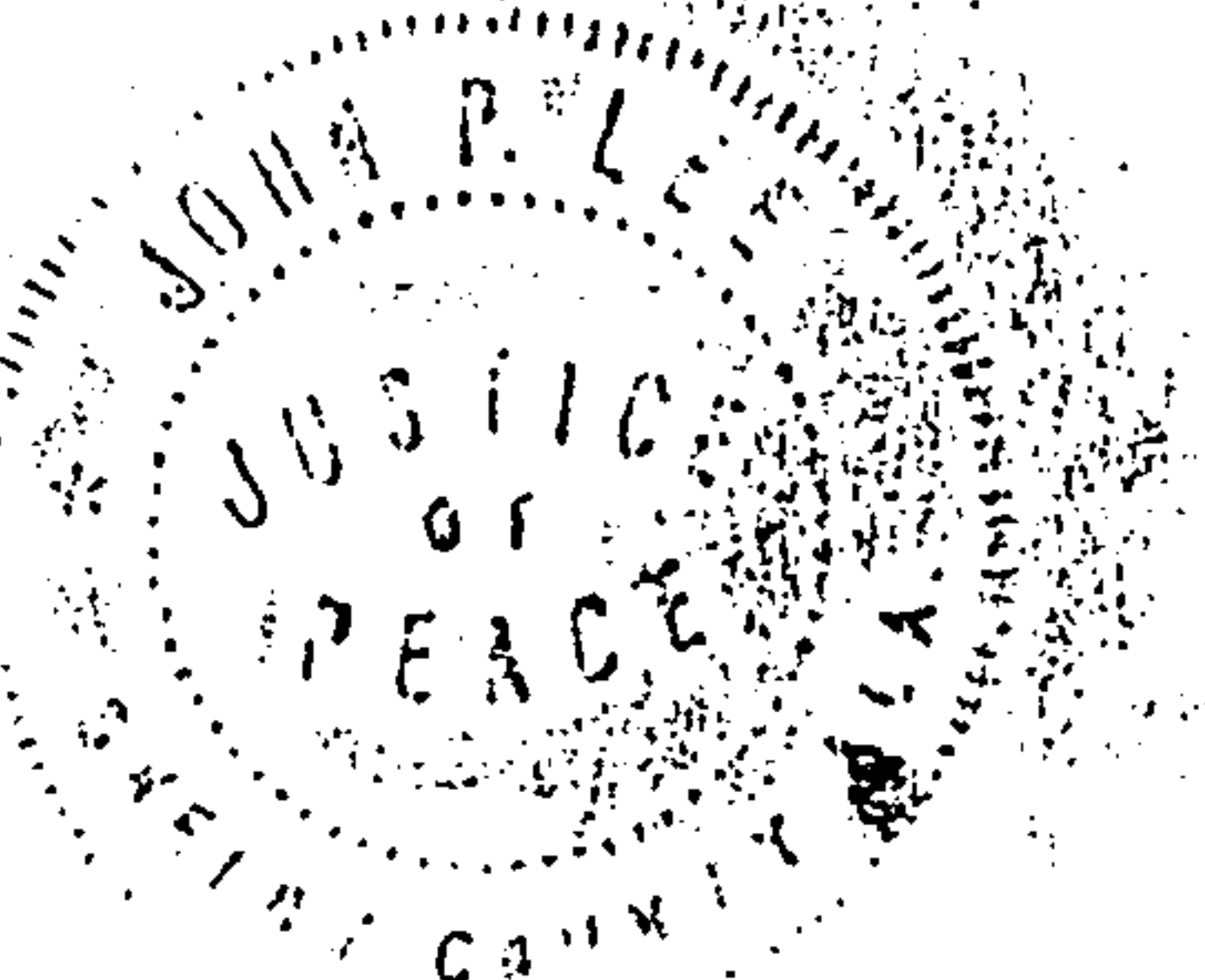
Cecil Bailey

Cecil Bailey, Affiant

Sworn to and subscribed before me
this 2 day of February, 1957.

John P. Lee

Notary Public, Shelby County,
Alabama



State of Alabama, Shelby County

I, L. C. Walker, Judge of Probate hereby certify that the within affid. was filed in this office for record the 15
day of February 1957 at 2 o'clock P M, and recorded in Book Record 185 Page 49 & examined 15
2/20/57 and the Mortgage Tax of \$ 1.00 Deed Tax of \$ 2 has been paid.
Fee \$ 1.00 L. C. Walker Judge of Probate