

AFFIDAVIT OF HUSTON EDWARD ROBINSON

Before me, the undersigned authority, personally appeared Huston Edward Robinson, who is known to me, and who, being by me first duly sworn, deposes and says as follows:

My name is Huston Edward Robinson. I am thirty-eight years old. I have lived in Shelby County, Alabama, all my life. My mother and father lived on the Comer place described below at one time, and I presently live just South of said Comer place between the Southern Railroad and the Columbiana-Calera highway. I have been familiar with the possession and ownership of the Comer place since I was a boy and before R. J. Comer first bought the said place. I have recently been shown a map and a description of the said Comer place which I know to be accurate and true, said map being based on landmarks with which I am familiar. The Comer place ^{as it} ~~the~~ ^{SW $\frac{1}{4}$} is now composed is accurately described as follows:

The NE $\frac{1}{4}$ of Section 15, Township 22, Range 2 West.

A part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15, Township 22, Range 2 West, and a part of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 22, Township 22, Range 2 West, described as follows: Commencing at the NE corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 15 and run South 88 deg West 182.0 feet to point of beginning; thence run South 16 deg 40' West 675 feet; thence run South 21 deg 20' East 1572.9 feet to the center of the RW of the Southern RR; thence run in a Westerly direction along center of said RR to intersection of West line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22, Township 22, Range 2 West; thence North along West line of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22 and along West line of SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15 to the NW corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 15; thence East along the North line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15 to the point of beginning.

A part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, Township 22, Range 2 West, described as: beginning at the SW corner of said forty and run North 2 deg 10' West 292 feet to the North RW of Highway # 25 to point of beginning; thence run along North RW of said Highway North 54 deg 40' East 223 feet; thence North 3 deg 20' West 68 feet to South RW of Southern RR; thence in a Westerly direction along South RW of RR to the West line of said forty; thence South along said West line 150 feet to point of beginning.

Also all that part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22, Township 22, Range 2 West, lying North of the RW of Southern Railroad.

To my positive knowledge and remembrance, all of the above described land was under fence when R. J. Comer first bought it and went into possession before 1930. The above described land was bought in three separate parcels by R. J. Comer at different times--i.e., the Eason place, the Dahl place, and the part purchased from the Alabama Lime and Stone Corporation--but all of the said land was under fence when R. J. Comer bought it and went into possession, and all of said land has remained under fence since that time and until the present time.

Jack P. Comer and his wife, Sarah K. Comer, now possess and own all of the land included in the above description, claiming their title and ownership through several deeds of record conveying different parts of the total land described above from the said R. J. Comer and wife and Hugh L. Comer and wife, and the said Jack P. Comer and his wife, Sarah K. Comer, and those through whom they claim and derive their title, have been in actual, open, peaceable, notorious, continuous, undisturbed, exclusive adverse possession of all of the said land described above, claim the same against the world and against the claims of all persons whatsoever since the said R. J. Comer first acquired his ownership and possession, as aforesaid, and until the present date. From time to time and continuously during the past twenty-seven or thirty years when R. J. Comer first took ownership and went into possession of the above described land under his various deeds, as aforesaid, the said Jack P. Comer and his wife, Sarah K. Comer, and their predecessors in title, the said R. J. Comer and his wife and the said Hugh L. Comer and his wife, have asserted their ownership and possession of all of the land described above by maintaining the fences around said land and by using various parts of the land within the fences for farming, pasturing, and raising timber, all to my personal observation and knowledge.

It has been called to my attention that part of the land above described is included on the Survey or Map of J. H. Dunstan of the Town of Calera, an unrecorded map or plat, and is there on that map or plat shown as being divided into lots and blocks with various streets or roads separating the blocks. I know that no person has occupied or possessed any lot or block or any part there - of shown on said Survey or Map of J. H. Dunstan and lying in that part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22, Township 22, Range 2 West, lying North of the RW of the Southern Railroad except Jack P. Comer and his wife, Sarah K. Comer, and their predecessors in title since the said R. J. Comer first acquired his ownership and possession prior to 1930, as aforesaid, and until the present date, and further, that the public nor any person has used or traveled any street or road shown on said Dunstan Map or Plat and lying in said part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$

of Section 22, Township 22, Range 2 West, lying North of the RW of the Southern Railroad since the said R. J. Comer first acquired his ownership and possession prior to 1930, as aforesaid, and until the present date. All this land has been under fence since before 1930 and used exclusively and possessed exclusively under claim of ownership by the Comers, as aforesaid, and to my knowledge, no part has ever been marked off or used as roads or streets, blocks or lots.

I know or have known F. H. Hardy, the grantee in the Tax Deed of August, 1920, recorded at Deed Book 67, page 499, Office of the Judge of Probate, Shelby County, Alabama, F. H. Hardy nor any of his heirs or assignees have never been in possession of any part of the above described land since I first became familiar with said land prior to the time R. J. Comer first acquired his ownership and possession, and until the present date.

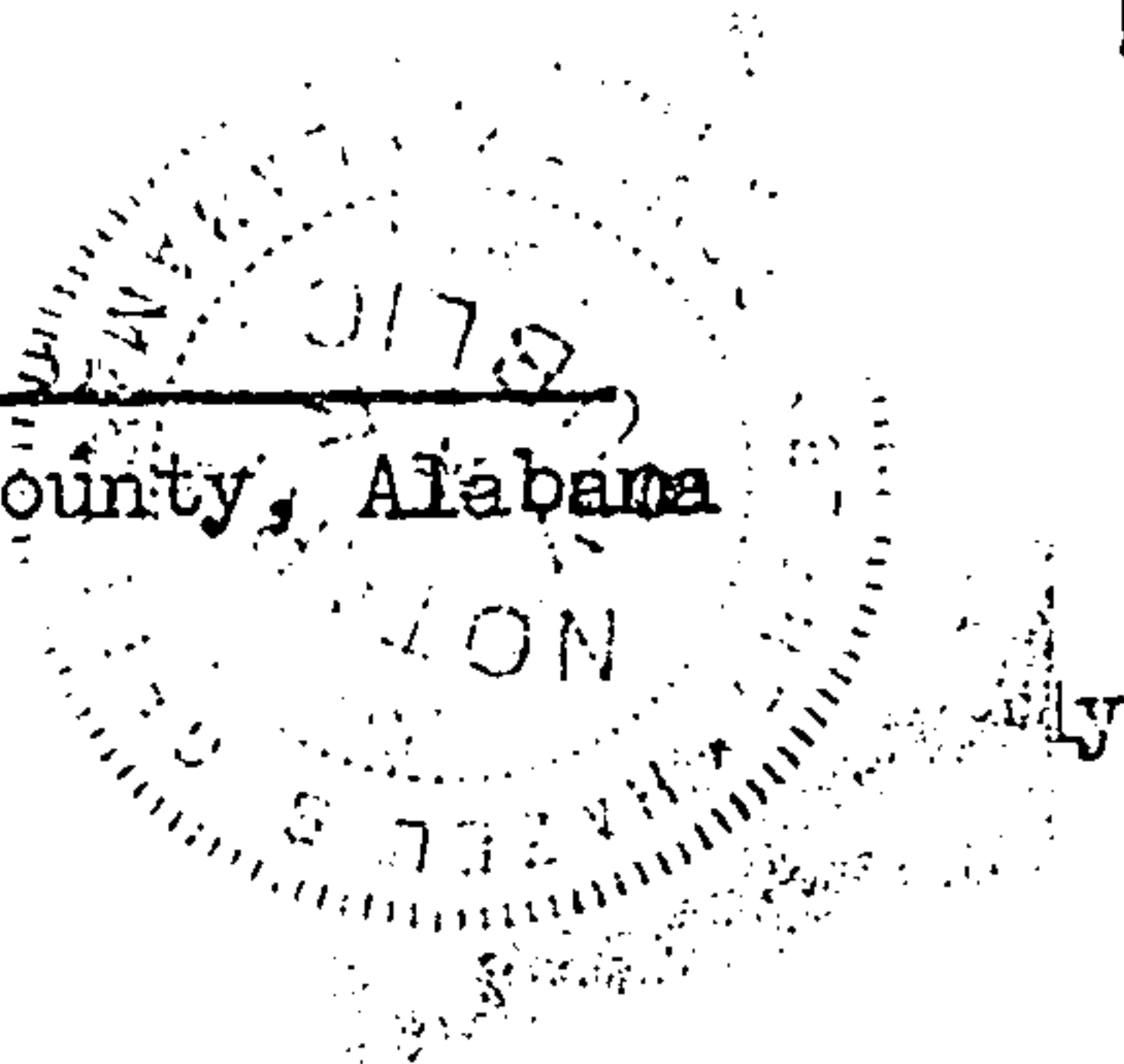
I do not know George Huddleston, the tax purchaser of part of the above described land in June, 1927, as shown by page 364 of Tax Sale Record 9 and by page 115 of Deed Book 85, Office of the Judge of Probate, Shelby County, Alabama, but I am sure that said George Huddleston nor his heirs or assignees, nor anyone else has never been in possession of any part of the above described land adverse to Jack P. Comer and his wife, Sarah K. Comer, and their predecessors in title since R. J. Comer first acquired his ownership and possession, as aforesaid, and until the present date.

I know or have known Arthur Jones, a Negro, and it has been called to my attention that said Arthur Jones is presently assessing part of the above described lands for taxes. I do not know what claim of ownership the said Arthur Jones has to any part of the above described property, but I do know that he has never possessed any part thereof since I first became familiar with said land before R. J. Comer first acquired his ownership and possession and until the present date; to my knowledge there are no outstanding claims against any part of said above described property adverse to or inconsistent with the ownership and possession of said property as now asserted and claimed and occupied by the said Jack P. Comer and his wife, Sarah K. Comer, except the alleged claim of Arthur Jones.

Houston Edward Roberson

Sworn and subscribed to before me this 16 day of May, 1957.

Hazel B. Green
Notary Public, Shelby County, Alabama



State of Alabama, Shelby County

I, L. C. Walker, Judge of Probate hereby certify that the within
Day of May 1957 at 10 o'clock A.M. and recorded in Deed Record 187 Page 153 & examined 25
and the Mortgage Tax of \$..... Deed Tax of \$..... has been paid.
Fee \$.....
L. C. Walker Judge of Probate