

AFFIDAVIT OF CLAUDE ROBERT BRASHER

Before me, the undersigned authority, personally appeared Claude Robert Brasher, who is known to me, and who, being by me first duly sworn, deposes and says as follows:

My name is Claude Robert Brasher. I am now fifty-one years of age. I have lived in Shelby County, Alabama, all my life. I have been familiar with the following described land, and the ownership and possession thereof, situated in Shelby County, Alabama, since before 1925, having lived within a quarter mile of said land since 1937 until the present date:

The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ 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 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 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.

I have recently seen a map of the above described land based on the above description and showing landmarks with which I am familiar. Part of the land, as described above, was originally a part of the W. P. Eason place (i.e., the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, lying mostly in the western half of said SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 15, Township 22, Range 2 West) and was conveyed by the heirs of W.P. Eason to R. J. Comer in 1927, the said R. J. Comer taking possession under his deed in 1927. Part of the land, as described above, was originally a part of the Anthony P. R. Dahl place (i.e., part of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, lying in the eastern half of said SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 15, Township 22, Range 2 West; and that part above described lying in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 22, Township 22, Range 2 West) and was conveyed by L. B. Liles and wife to R. J. Comer in 1926, the said R. J. Comer taking possession under his deed in 1926. Part of the land, as described above, i.e., that part described above in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ lying North of the Southern Railroad, was conveyed to R. J. Comer in 1929 by Alabama Lime and Stone Corporation, a Corporation, the said R. J. Comer taking possession under his deed in 1929.

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 various deeds of record 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, claiming 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.

When I first became familiar with the above described land before 1925, all of said land was enclosed by fences; Jack P. Comer and his wife, Sarah K. Comer, and their predecessors in title (i.e., R. J. Comer and wife and Hugh L. Comer and wife) have kept all of the said land under fence since R. J. Comer first acquired his ownership and possession, as aforesaid, and until the present date, using the said land or various parts thereof for pasture-land, farm-land, and timber-land.

It has been called to my attention that various conveyances, including the deeds recorded at pages 468 of Deed Book 123, page 22 of Deed Book 150, and page 92 of Deed Book 184, Office of the Judge of Probate, Shelby County, Alabama, name "Jack P. Comer" as one of the grantees; and that the conveyance of April 25, 1953, recorded at page 299 of Deed Book 161 names "Jack Comer" as one of the grantees. I have known Jack P. Comer all his life and for more than twenty-five years, and I know that "Jack P. Comer" and "Jack Comer", as referred to by the various conveyances, are one and the same person.

It has also been called to my attention that various conveyances recorded in the Office of the Judge of Probate, Shelby County, Alabama, have confused the name or identity of Sarah K. Comer: i.e., page 22 of Deed Book 150 refers to "Sarah K. Comer"; page 299 of Deed Book 161 refers to "Sara Comer"; page 92 of Deed Book 184 refers to "Sara K. Comer"; page 185 of Deed Book 134 refers to "Sara E. Comer"; page 403 of Deed Book 139 and page 364 of Deed Book 156 refer to "Sara K. Comer"; and page 22 of Mortgage Book 247 refers to "Sara Evans Comer". I have known the said Sarah K. Comer for more than twenty-five years, and I know that "Sarah K. Comer", "Sara

Comer", "Sara K. Comer", "Sara E. Comer", "Sara K. Comer", and "Sara Evans Comer", as referred to by the various conveyances, are one and the same person.

I know or have known F. H. Hardy, the grantee in the Tax Deed of August 27, 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 1925 and until the present date.

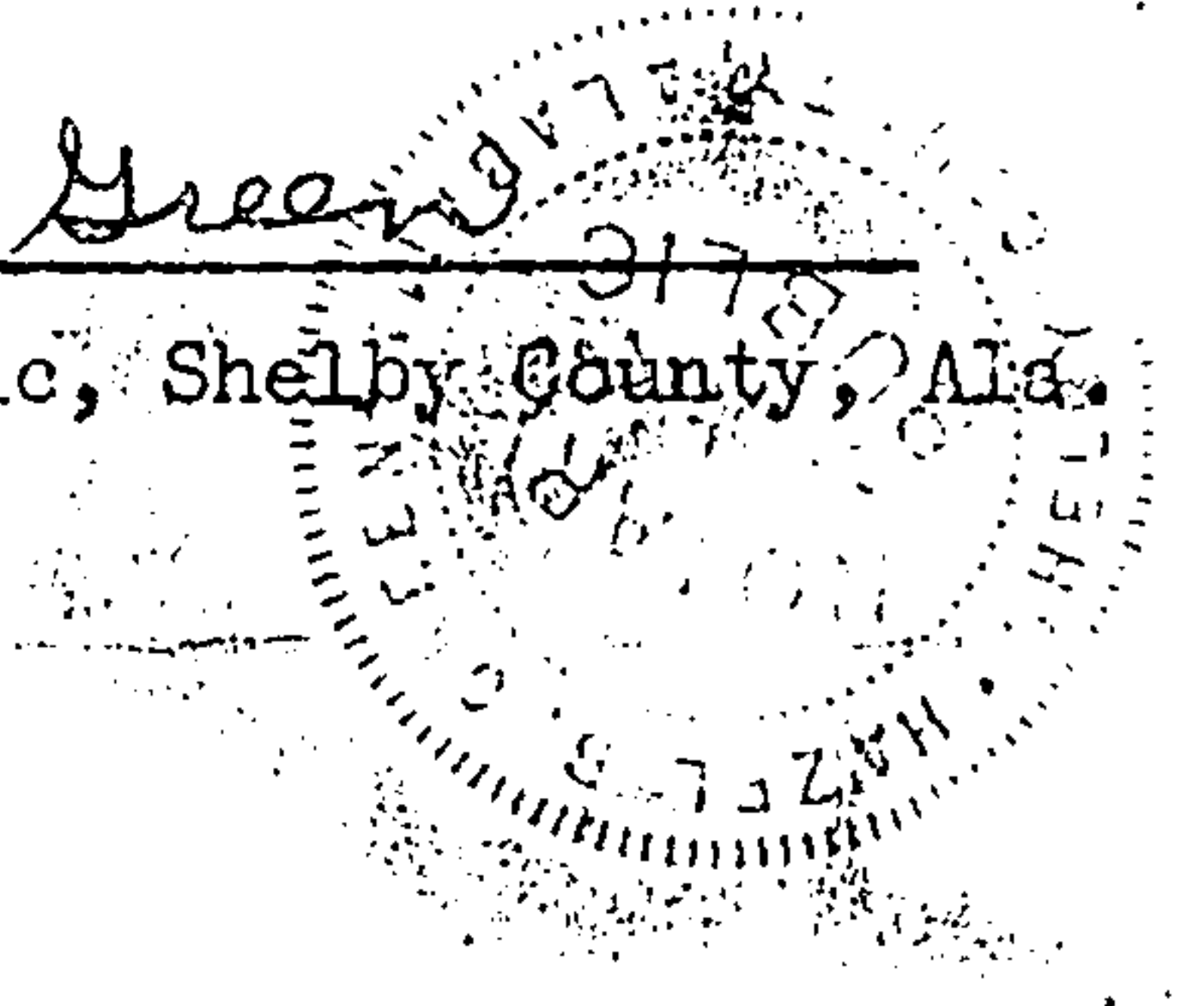
I do not know George Huddleston, the tax purchaser of part of the above described land in June, 1927, as shown by page 364 of Tax Sale Record 9 and by page 115 of Deed Book 85, Office of the Judge of Probate, Shelby County, Alabama, but I am sure that said George Huddleston nor his heirs or assignees, nor anyone else has never been in possession to 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 1925 and until the present date, all of said land having been under fence, claimed, possessed and owned by Jack P. Comer and his wife, Sarah K. Comer, and their predecessors in title, since before 1930 until the present date, as aforesaid; to my knowledge there are no outstanding claims against said above described property adverse to or inconsistent with the ownership of said property as now asserted and claimed by the said Jack P. Comer and his wife, Sarah K. Comer except the alleged claim of Arthur Jones.

Claude Robert Brasher

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

Hazel B. Green
Notary Public, Shelby County, Ala.



State of Alabama, Shelby County

I, L. C. Walker, Judge of Probate hereby certify that the within
day of 5-29-57 May 1957 at 10 o'clock A.M. and recorded in Deed Record 187 Page 154 & examined
and the Mortgage Tax of \$ Deed Tax of \$ has been paid.
Fee \$ L. C. Walker Judge of Probate

95