

3037

BOOK 187 PAGE 223

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

Before me, the undersigned authority, in and for said County, in said State, personally appeared M.W.Cox, who, being by me first duly sworn deposes and says that he resides at Sterrett, in Shelby County, Alabama; that for a period since March 11, 1909, to date, he has been acquainted with the location, use, parties in possession, and the owners of the following described lands, to-wit:

The Southwest diagonal one-half of the Northeast Quarter of the Southwest Quarter; and the Southwest diagonal one-half of the Southwest Quarter of the Southeast Quarter; and also, 20 acres of land described as beginning at the Northwest corner of the Northeast Quarter of the Southwest Quarter of Section 31, Township 18, Range 1 East, and run thence East along the North line of said forty acres for a distance of 375 feet; run thence Southeast to a point on the East line of said Southwest Quarter of the Southeast Quarter of said Section 31, which point is 375 feet North of the Southeast corner of said last named forty acres; run thence South 375 feet to the Southeast corner of said Southwest Quarter of the Southeast Quarter of said Section 31; run thence Northwest to the point of beginning, and said 20 acres being a part of the Northeast Quarter of the Southwest Quarter, and a part of the West Half of the Southeast Quarter, all of the above described lands being in Section 31, Township 18, South, Range 1 East, in Shelby County, Alabama. EXCEPTING, the minerals and mining rights to that part of the above described lands situated in the Northeast Quarter of the Southwest Quarter of said Section 31.

Affiant further says that J.H.Cox, now deceased, is the father of your affiant, and that M.E.Cox is the Mother of your affiant; and that affiant's father purchased the above described lands from J.T.Brasher on March 11, 1909, as shown by deed recorded in Deed Book 59, on page 586, in the office of the Judge of Probate of Shelby County, Alabama; and that immediately after the purchase of said lands by your affiant's father, affiant's father went into the possession of said lands and remained in the possession of said lands until the date of his death. Affiant further says that his father died intestate on October 10, 1923, in Shelby County, Alabama.

Page 2. (Affidavit M.W.Cox).

Affiant further says that after the death of affiant's father, his Mother, Mrs. Mary E. Cox, being the one and same person as M.E. Cox, married Frank Garrett, and that the said Frank Garrett departed this life on or about the year, 1929, or 1930; affiant further says that after the death of the said Frank Garrett, your affiant's Mother married C.P. Johnson.

Affiant further says that the above described lands sold for taxes in 1931 in the name of Mrs. M.E. Garrett, and that on December 1st., 1933, Mrs. M.E. Garrett redeemed said lands from said sale.

Affiant further says that he knows of his own personal knowledge that neither A.G. Benning, James Albright, J.S. Albright, Mrs. Carrie Rotholz, nor G. Rotholz has ever been in the possession, claimed to own, occupied, or owned any right, title, or interest in said lands herein under consideration.

Affiant further says that he knows of his own personal knowledge that since prior to March 11, 1909, H.F. Cox, and those through whom the said H.F. Cox claims and holds title, namely, Mary Cox Johnson, and the heirs at law of J.H. Cox, deceased, John T. Brasher, being the one and same person as J.T. Brasher; and Nancy Brasher and husband, W.A. Brasher, respectively, to the above described lands has been, respectively, in the open, continuous, notorious, peaceable and adverse possession of said lands, regularly exercising acts of ownership over said lands and residing thereon and cultivating the same in crops and occupying the same as a home-site continuously, claiming said lands as their own, assessing and paying taxes thereon, and the claims of the several owners, as aforesaid, being against all the world, and regularly exercising acts of ownership over said lands for a period of, approximately, fifty years; that your affiant has never heard the title of the said H.F. Cox, and those through whom the said H.F. Cox holds title, to be questioned in any way.

M. W. Cox

(M.W.Cox)

Sworn to and subscribed before me, on this, the 9 day
of May, 1957.

E. B. Brashers
Notary Public, Shelby County,
Alabama.

STATE OF ALABAMA, |
 |
SHELBY COUNTY.....|

Before me, the undersigned authority, in and for said County,
in said State, personally appeared E.E.Gardner, who, being first duly
sworn deposes and says that he resides at Sterrett, in Shelby County,
Alabama; that Mrs. Mary E.Cox, being the one and the same person as
Mrs. M.E.Cox, is a sister of your affiant; that he has known the
lands set forth in the affidavit of Mr.M.W.Cox for more than fifty
years, last past; that he has read the affidavit signed by M.W.Cox,
as aforesaid, and that he knows the facts therein stated to be true
and correct; and that he knows that there have been no adverse
claimants to said lands for more than fifty years, last past.

E. E. Gardner
(E.E.Gardner)

Sworn to and subscribed before me, on this the 9 day of May,
1957.

E. B. Brashers
Notary Public, Shelby County,
Alabama.

State of Alabama, Shelby County
J. L. C. Walker, Judge of Probate hereby certify that the within
by 6-6-57 June 1957 at 8 o'clock A M, and recorded in deed Record 187 Page 222 & examined
and the Mortgage Tax of \$..... Deed Tax of \$..... has been paid.
e \$..... Judge of Probate