

1358

STATE OF ALABAMA)
COUNTY OF SHELBY)

Before me, the undersigned authority in and for said
State and County, this day personally appeared ^{R.E. Paulsen} ~~J. L. Henson~~, who,
being by me first duly sworn, deposes and says as follows:

Affiant is well acquainted with the following described
lands:

The Southwest quarter of Southwest quarter and
the West half of Northwest quarter of Southwest
quarter of Section 1; and the Northwest quarter of
Section 12; and the Northwest quarter of Southwest
quarter of Section 12, and all that part of the
Southwest quarter of Northeast quarter of Section 12
lying North and West of the old Montgomery Highway;
containing 262 acres, more or less, in Shelby County,
Alabama; all being in Township 20 South of Range 3 West.

Affiant has known these lands and the ownerships and
possession thereof for more than the past twenty years, having
lived all during that time on ^{adjacent} ~~adjoining~~ lands.

Fred L. Horst acquired these lands in 1936, - part of
them from G. M. Edmonds, part from Katherine Jones Hulse and
part from O. D. Kirkpatrick and Scott Brady. Mr. Horst took
immediate possession of all these lands in 1936 and remained in
possession thereof until April, 1937, when he sold and conveyed
the Southwest quarter of Southwest quarter and the West half of
Northwest quarter of Southwest quarter of said Section 1, and the
Northwest quarter of Northwest quarter of said Section 12, to
Travis E. Reed and Ada L. Wilder, and was in possession of the
remainder until 1942 when he sold and conveyed same to H. C.
Fulton. The said Reed and Wilder went into possession of the
Southwest quarter of Southwest quarter and West half of Northwest
quarter of Southwest quarter of said Section 1, and Northwest
quarter of Northwest quarter of said Section 12 in 1937 and remained
in possession thereof until 1942 when they sold and conveyed same
to H. C. Fulton. Thus, H. C. Fulton acquired all of these lands
in 1942.

-2-

Affiant further states that the said Fred L. Horst lived on these lands, farmed same and operated a nursery thereon during the years when he owned and occupied same as stated above; that said Reed and Wilder operated a truck farm on the part they acquired and the said Wilder lived thereon until they sold same to Mr. Fulton.

Affiant further states that the said H. C. Fulton went into the immediate possession of all of the above described lands in 1942, and has lived thereon ever since, has fenced same, cultivated parts thereof, put other parts in pasture, has rented portions to tenants from time to time, has granted rights of way to Alabama Power Company, sold timber therefrom, and has otherwise manifested and held actual possession of all of these lands continuously since the year 1942 to the present time. Mr. Fulton built fences around those borders of said lands where there were no fences, so that for more than the past ten years, all of the above described acreage has been under fence except a small strip in the woods about three or four hundred yards along the west line of said Section 1.

Affiant has never heard of the title to any of said lands being in dispute. On the contrary, the ownership and possession of H. C. Fulton of all of said lands (about 262 acres) has been generally recognized in the community since the year 1942.

Affiant further states that H. C. Fulton and his said predecessors in title have been in the open, notorious, continuous, peaceable and adverse possession of all of said lands (about 262 acres) actively using same in numerous ways, for more than the past twenty years, and during that time affiant has never heard of their title thereto being questioned or their possession disturbed.

Further, affiant saith not.

R. E. Powers

Subscribed and sworn to before me
on this the 10th day of January, 1958.

State of Alabama, Shelby County, Notary Public

I, L. C. Walker, Judge of Probate hereby certify that the within day of 1/23/58 at 1 o'clock P. M. and recorded in Deed Book 102 Page 102 As been paid. Fee \$ 1.20 and the Mortgage Tax of \$ 1.20 Deed Tax of \$ 1.20

L. C. Walker Judge of Probate