

STATE OF ALABAMA  
SHELBY COUNTY

FILED 30 JUNE 1959

Before the undersigned authority personally appeared C. B. Whitfield, who is known to me, and who being by me first duly sworn, deposes and says:

I was acquainted with W.Y. Stokes in his lifetime. He died intestate on March 30, 1945. I am acquainted with the following land situated in Shelby County, Alabama, namely:

The  $S\frac{1}{2}$  of  $NW\frac{1}{4}$  of  $NW\frac{1}{4}$  and the  $N\frac{1}{2}$  of  $SW\frac{1}{4}$  of  $NW\frac{1}{4}$  of Section 18, Township 18 South, Range 2 East.

I have known this land for 25 years or more, and was born and reared in the community where this land is located. I married Hazel Stokes, who was a daughter of said W. Y. Stokes and his wife, Ada Stokes.

Said W. Y. Stokes was in possession of said land, claiming to own it at the time of his death. It sold for<sup>1935</sup> taxes on July 8, 1936, under an assessment to Frank Emerson, and the State became the purchaser. The State sold the land in question and other property involved in said sale to W. Y. Stokes by deed dated June 22, 1939, and this deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 106, page 271. Mr. Stokes went into possession of said property immediately after he purchased it from the State and cleared off 20 acres of it and cultivated it or had portions of it cultivated each and every year until he died. While he was having it cultivated he built a barn on it.

After he died his sole heirs at law and next of kin continued in possession of the property until they deeded it to my wife, Hazel Whitfield by deed dated July 5, 1949, which is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 139, page 354. After Mr. Stokes died I looked after the property for the Stokes family of which my wife was one. I went on it regularly and frequently during that time to see that nobody was trespassing upon it or cutting timber from it. When the land was deeded to my wife in 1949 she went into possession of it and I continued to look after it for her, as her agent, and cut fire wood from it every year and regularly patrolled it to keep off trespassers. I, as

agent for my wife, actually cutlivated portions of it during 1950, 1951, 1952, 1953, 1954, 1955, 1956 and 1957, and in 1958, acting as her agent, I sold the timber off a portion of the land involved in the deed and had my sons cut the timber on captioned lands. They cut it off as paper wood and I sold it at Leeds, Alabama. They cut the timber on captioned lands for about amonth. Since my wife obtained a deed to the property she has regularly assessed it for taxes and paid taxes on it, and as stated I have frequently patrolled the land to keep off trespassers. All the fire wood we have used at our home has been taken from the captioned lands.

From the time Mr. Stokes purbhased the land from the State, as aforeaaid, no other, person, firm or corporation except Stokes, and after him his wife and children, and after that my wife, have been in possession of said property. No one else has claimed it or any interest therein and no one else has been in possession of it.

The sole heirs at law and next of kin of said W. Y. Stokes when he died and up to the present time are as follows:

1. Ada Stokes, his widow.
2. Bessie Brasher, whose husband is Earley Brasher.
3. Millard Stokes, whose wife is Mae Stokes.
4. Percy B. Stokes, whose wife is Freda Stokes.
5. Hazel Whitfied, whose husband is C.B. Whitfield (affiant)

A deed of correction was executed by Ada Stokes and the heirs of W. Y. Stokes to my wife on September 5, 1952, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 155, page 85. That deed of correction, however, did not affect the original deed to captioned property but corrected description in other property included therein.

I live about a mile from this property and have lived there about 25 years. I have only 1½ acre of land where my dwelling house is situated and I cut firewood off captioned land as above stated.



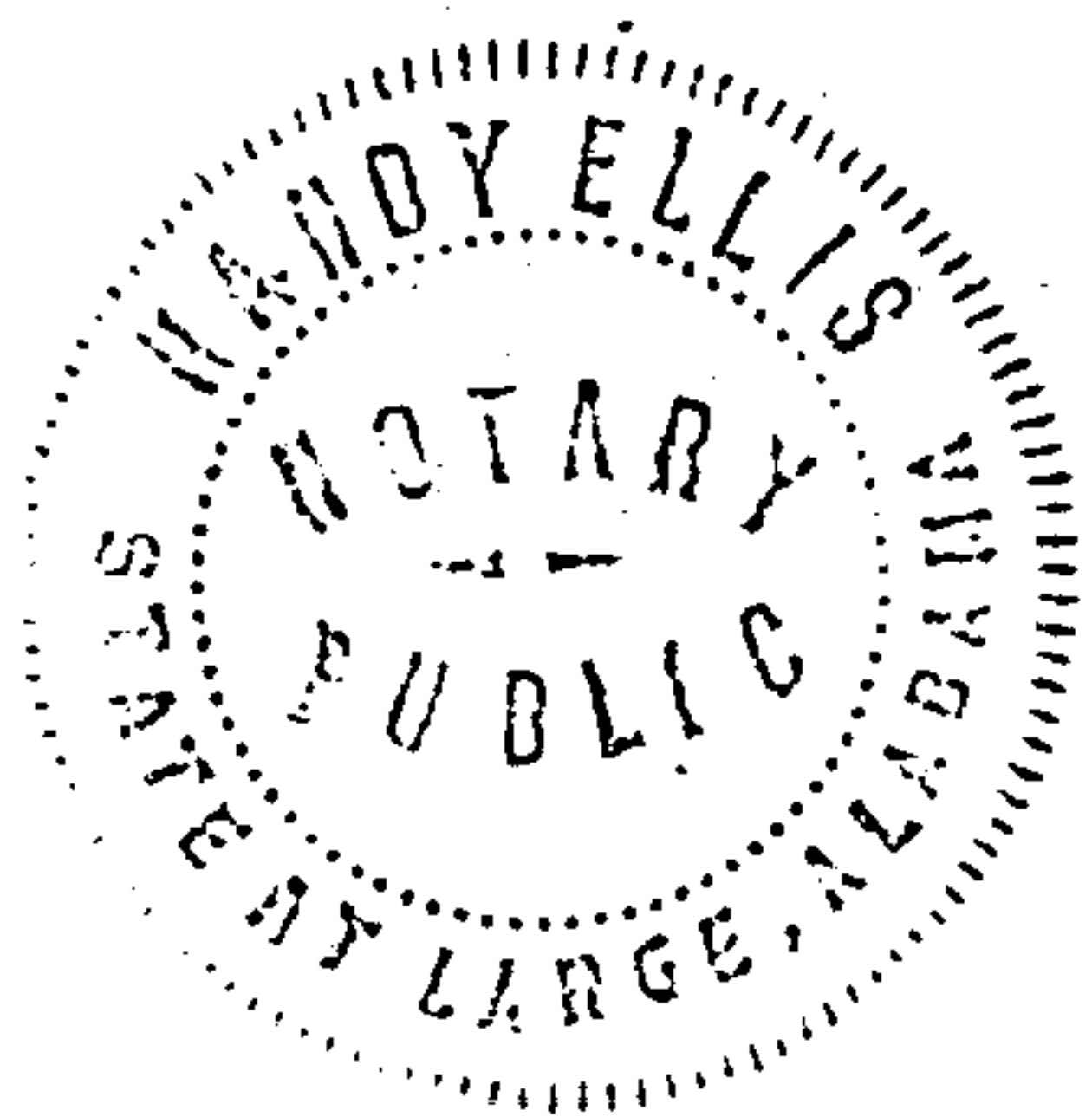
BOOK 202 PAGE 324

Said W.Y. Stokes owned considerable other lands in the same area where captioned land is located and the widow and children divided up the land and the captioned land fell to the portion of my wife.

C.B. Whitfield  
C.B. Whitfield

Sworn to and subscribed to before me  
on this the 22nd day of June, 1959.

Handy Ellis  
Notary Public  
State at Large for Alabama



STATE OF ALABAMA }  
SHELBY COUNTY }

I, Conrad M. Fowler, Judge of Probate hereby certify that the within affidavit was filed in this office for record the 30 day of June 1959 at 8 o'clock P.M. and recorded in deed Record 202 page 322 and examined 7-2-59 and the Mortgage Tax of \$        and the Deed Tax of \$        has been paid.

Conrad M. Fowler  
Judge of Probate

Fee \$ 2.25

STATE OF ALABAMA, SHELBY COUNTY

I, Conrad M. Fowler, Judge of Probate, hereby certify that the within        was filed for record the        day of        19       at        o'clock        M. and recorded in        Record        at page       , and the Mortgage Tax        and Deed Tax        has been paid.

        
Judge of Probate