

STATE OF ALABAMA

SHELBY COUNTY

4319  
Before me, Walter Harrison, the undersigned authority in and for said County, in said State personally appeared A. B. Baxley, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is A. B. Baxley. I am 72 years of age and have been a resident of Calera, Alabama, approximately 36 years and have all along been acquainted with the hereinafter described property and the persons in possession of it. Said property being described as follows:

All that part of the  $W\frac{1}{2}$  of  $E\frac{1}{2}$  of  $NE\frac{1}{4}$  of Section 3, Township 22 South, Range 2 West, that lies south of the Elyton and Shelby Springs Road; situated in Shelby County, Alabama.

Soon after I came to Calera and about the year 1929, I became land agent for Alabama Limes & Stone Corporation and was famaliar with many of its dealings and transactions. I recall the occasion when said Corporation sold R. L. Holcombe the above described land, along with other property, and I know said Corporation took a mortgage back from Mr. Holcombe which was later foreclosed and I, as the present owner of the property, claim through the Chain of Title which came through said mortgage foreclosure. I was famaliar with the transaction where R. L. Holcombe conveyed said land to United States Realty Corporation on October 24, 1929, as shown by deed recorded in Deed Book 90 page 115 in the Probate Office of Shelby County, Alabama. Mr. Holcombe conveyed said property to said Corporation in exchange for an apartment building in Birmingham which proved to be heavily encumbered and Mr. Holcombe was never able to realize anything out of it. United States Realty Corporation failed to make its conveyance good and about that time it quit operating in Shelby County, Alabama. It has been called to affiant's attention that said Corporation conveyed the above land, along with other land, to J. W. Harden in 1930, as shown by deed recorded in Deed Book 91 page 96 in said Probate Office, and that J. W. Harden conveyed the same to George L. Boykin in 1931 and that there is no deed out of George L. Boykin to the persons through whom I claim.

Affiant further says that he recalls when said mortgage from R. L. Holcombe to Alabama Lime & Stone Corporation was foreclosed and the property was bought in by Claud Shill, as Trustee in November, 1932, and was sold by said Trustee to C. O. Chambless in 1936. Affiant further says he knows Claud Shill, through his agents and employees, went into possession of the land and was in the actual possession until he sold it to C. O. Chambless. C. O. Chambless went into possession of the same and sold the timber during the time

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he owned it and went upon it from time to time until he sold it to Jacob Johnson in March 1937, as shown by deed recorded in Deed Book 100 page 310 in said Probate Office. Jacob Johnson went into immediatel possession of it and cleared portions of the land, dug a well and started a dwelling house on the land and he kept it until June, 1958, when he sold the same to T. H. Walton. Affiant further says T. H. Walton went into immediate possession of the land and cut the timber from it and was in the actual possession of it until he sold it to affiant.

Affiant further says that he knows that since he has known said land that no one except the persons through whom he claims title has been in possession of said land or disputed their title to the same.

A. B. Baxley  
A. B. Baxley

Sworn to and subscribed to before me  
this the 28 day of June, 1960.

W. C. Harrison  
Notary Public *for*  
*State of Alabama*

State of Alabama  
Shelby County

Before me James B. Richardson, the undersigned authority in and for said County, in said State, personally appeared C. O. Chambless, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is C. O. Chambless. I am 76 years of age. I have read the affidavit of A. B. Baxley attached hereto and I am famaliar with the land mentioned therein and have been famaliar with it for the past 24 years. I know of my own knowledge that the matters and things mentioned in said affidavit are true and correct and I hereby adopt said affidavit as mine.

C. O. Chambless  
C. O. Chambless

State of Alabama  
Jefferson County

Sworn to and subscribed to before me  
this the 30<sup>th</sup> day of June, 1960.

James B. Richardson  
Notary Public

*Filed 7/29/60 JBR*

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