

5089
STATE OF ALABAMA)

COUNTY OF *Jefferson*

A-F-F-I-D-A-V-I-T

Before me, the undersigned authority in and for said County in said State personally appeared *E. C. Fowler* who being by me first duly sworn, deposes and says on oath as follows:

My name is *E. C. Fowler* and I am over the age of twenty-one years and I am a long time resident of Shelby County, Alabama and I am very familiar with the title to and the possession of the following described real estate;

All that part of the West $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 14, Township 18, Range 1 East situated in Shelby County, Alabama, which lies South of Bear Creek and West of the Westerly right of way line of Sterrett Road, containing 38 acres more or less.

It has been called to my attention that the various deeds in the chain of title to the above described property contain a certain defects and that it is deemed advisable to strengthen the title to said property by establishing proof of actual adverse possession of said property. I am very familiar with the above described property and I know that the said 38 acres above described is a portion of a farm. I remember when Charlie Whalen and Louise Whalen purchased the above described 38 acres together with other property sometime in the year 1946. I know that they immediately went into possession of the above 38 acres. I know that they claimed all that part of said half quarter Section lying South of Bear Creek and West of Sterrett Road. There is located on this 38 acres a farm house and a barn. I remember when the Whalens sold this 38 acre tract to Lula Maie Gillespie in the year 1951. I know that Lula Maie Gillespie went into actual possession of said 38 acres and lived in the house and raised crops on the farm. I know that Dollie Waldrop foreclosed a mortgage sometime in 1956 and I know that she at the present time is the owner of this 38 acres of property. At the present time a tenant of Dollie Waldrop is in actual possession of this property. I know that from the time the Whalens first purchased this property in 1946 down to and including the present time that Dollie Waldrop and her predecessors in title as named in this affidavit have been in actual, adverse, peaceful, hostile, continuous, exclusive,

notorious and actual possession of the entire 38 acres and I know that no one has ever questioned their right title or interest in and to said property. During that said period of time I know that their possession has included all of the West 1/2 of the SW¹/₄ of said section lying South of Bear Creek and West of Sterrett Road.

EC Fowler

Sworn to and subscribed before me on this
the 2nd day of June, 1960.
[Signature]
Notary Public.

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STATE OF ALABAMA }
SHELBY COUNTY }
I, Conrad M. Fowler, Judge of Probate hereby
certify that the within affidavit was
filed in this office on record the 6th day
of Sept, 1960 at 8 o'clock P.M.
and recorded in Deed Record 211
page 22 and examined 9-6-60
and the Mortgage Tax of \$
Deed Tax of \$ has been paid.
[Signature]
Judge of Probate
Fee \$ 2.00

STATE OF ALABAMA, SHELBY COUNTY
I, Conrad M. Fowler, Judge of Probate, hereby certify that the within was filed
for record in this office on the day of 196 at M. o'clock, and
recorded in Book at page on the day of 196 .
Mortgage Tax Deed Tax has been paid.
Conrad M. Fowler
Judge of Probate