

5088  
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 *Roy Champion*, who being by me first duly sworn deposes on oath and says:

My name is *Roy Champion* 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 of that part of the West 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.

I have been familiar with the above described property for many years and I know that this property was a portion of the old J. B. Kincaid property. The above described 38 acres was a portion of J. B. Kincaid farm and I know that there was situated on said property a house and a barn which was used as a portion of the Kincaid farm. I know that J. B. Kincaid lived on this property and exercised possession of the entire 38 acres for well over twenty years. I know that no one ever claimed any portion of this property adverse to J. B. Kincaid nor was anyone else ever in possession of any part of the same. I know that J. B. Kincaid died intestate about twenty years ago and that there was no administration on his estate. I know that J. B. Kincaid left surviving him the following children; Mary Kincaid Lee, Gerald C. Kincaid, J. B. Kincaid and Benjamine W. Kincaid. I also know that he did not leave surviving him any other child or descendants of a deceased child and that his widow has long since been deceased.

I know that the Kincaid heirs conveyed the West 1/2 of the SW $\frac{1}{4}$  of said Section 14 to Mrs. R. P. Falkner and Mr. R. P. Falkner some time in the year 1942. I know that Mrs. R. P. Falkner's name was Itra Gertrude Falkner. I also know that subsequently the Falkners conveyed the above described 38 acres together with other property to D. A. Hardy and that subsequently D. A. Hardy conveyed said property to L. A. and

Mary Cloe Corbett. I know that the Corbetts went into possession and exercised possession of the entire 38 acres above described. Subsequent to that time the Corbetts conveyed this property to Charlie Whalen and Louise Whalen some time in the year 1946. In the year 1951 the Whalen's conveyed the above described 38 acres to Lula Maie Gillespie. Later in the year 1956 this property was foreclosed and bought in by Dollie Waldrop who is the present owner of said property. It has been called to my attention that throughout the chain of title of the above described 38 acres that there exists certain discrepancies and incorrect descriptions in the various deeds. It is the purpose of this affidavit to show that throughout the chain of title from the time that J. B. Kincaid owned this property and as long as I can remember that J. B. Kincaid and his successors in title, as set forth above, have been in actual physical possession of the 38 acres described above which was a portion of the old Kincaid farm. I know that Dollie Waldrop is the present owner of this property and that she and her predecessors in title have been in actual physical possession of the entire 38 acres and that for a period of time far exceeding twenty years that said possession has been actual, open, peaceful, continuous, exclusive and hostile against the entire world.

Ray - Chapman

Sworn to and subscribed before me on this  
day of July 1960;  
[Signature]  
Notary Public.

STATE OF ALABAMA }  
SHELBY COUNTY }  
I, Conrad M. Fowler, Judge of Probate hereby  
certify that the within [Signature] was  
filed in this office for record the 6 day  
of July 1960 at 5 o'clock P.M.  
and recorded in Deed Record 211  
page 27 and examined 16-60  
and the Mortgage Tax of \$         
Deed Tax of \$        has been paid.  
[Signature]  
Judge of Probate  
Fee \$ 2.00

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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        1960 at        M. o'clock, and  
recorded in        Book        at page        on the        day of        1960.  
Mortgage Tax        Deed Tax        has been paid.  
Conrad M. Fowler