

## STATE OF ALABAMA

## SHELBY COUNTY

Personally came and appeared before the undersigned authority, a Notary Public in and for said County in said State, Richmon Howard, who, after being first by me duly sworn to speak the truth, deposeth and says:

My name is Richmon Howard, and I am 69 years of age, and have lived in Shelby County, Alabama all of my lifetime.

I have been acquainted with the use and possession of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$  Section 12, Township 18, Range 1 East, Shelby County, Alabama, as long as I can remember. I was born on March 27, 1891, within three-fourths mile of this property, and was raised at the place on which I was born, and lived there until I married. I presently reside at Route 1, Sterrett, Alabama, and have lived there since my marriage and my home is approximately one-fourth mile from the above described property.

I can remember when Mrs. Liva Jane Whitfield purchased the above described property from Richard H. Brasher, in the year 1905. Mrs. Whitfield was a widow, and had six children. Four of these children were residing with Mrs. Whitfield at the time she purchased said property from Brasher. I was 15 years of age at the time, and assisted in moving Mrs. Whitfield and the four children residing with her, to the old log house situated in the Northwest corner of said property. However, I remember back further to the time that T. A. Adams owned the property, and remember the time that Mr. T. A. Adams lived in the log house on said property prior to his selling to R. H. Brasher.

Mrs. Liva Jane Whitfield lived on the property, and her boys, J. A. Whitfield, who was known as Austin, and is the same J. A. Whitfield shown as grantee in deed from L. J. Whitfield, who was Liva Jane Whitfield, mother of J. A. Whitfield, recorded in Deed Book 49 at page 593, in the Office of Judge of Probate, Shelby County, Alabama, which described the above property, and her son, Curt Whitfield cultivated fields on said property, and as long as I can remember, there has been a fence along the South boundary line of said property, and on a part of the West side of said property, and said

property is bounded on the North by the Vandiver Road.

J. A. Whitfield married Nonnie in 1927, and Nonnie moved into the old log house, and she and J. A. Whitfield lived there with his mother, Liva Jane Whitfield, for about three years, and J. A. Whitfield and his wife, Nonnie purchased the SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 12, Township 18, Range 1 East, which corners on the above described property, and moved into the house situated on that 40 acres, and Mrs. L. J. Whitfield moved with them, and Mrs. Whitfield lived there with them until her death about the year 1935.

I know that J. A. Whitfield and his wife have sold the timber on the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 12, Township 18, Range 1 East on two different occasions, and that the persons buying said timber cut the timber on said property.

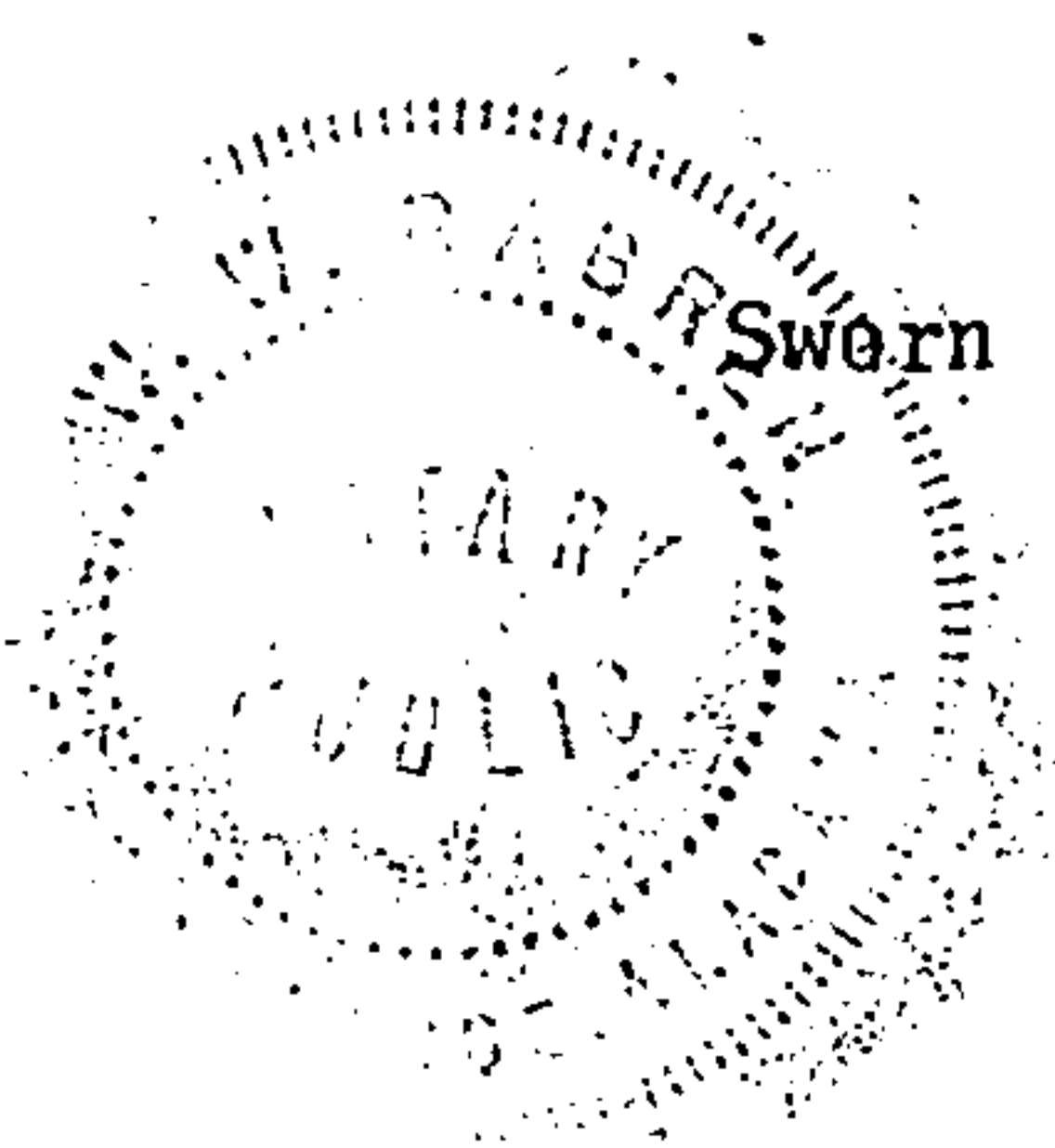
I remember when John Watson and Lee Watson cut some timber on the Walker property about the year 1910, but they did not cut any timber on the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 12, Township 18, Range 1 East, as L. J. Whitfield and her children were living on said 40 acres at that time. The timber cut by the Watsons was situated West of said property.

I know of my own personal knowledge that the heirs of James P. Walker have never been in possession of any part of the NE $\frac{1}{4}$  of SE $\frac{1}{4}$ , Section 12, Township 18, Range 1 East, since the purchase of said property by Mrs. L. J. Whitfield on November 30, 1905, and I have never heard of them claiming any interest in said property or disputing or questioning the title of Mrs. L. J. Whitfield, J. A. Whitfield and Nonnie Whitfield.

I know of my own personal knowledge that L. J. Whitfield and her son J. A. Whitfield, and his wife, Nonnie Whitfield did actually possess the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 12, Township 18, Range 1 East, for more than 20 years after L. J. Whitfield purchased said property by deed dated November 30, 1905, and that the possession of said parties has been continuous, exclusive, peaceful, quiet, notorious, direct, adverse and hostile and under color of title and claim of ownership, for more than 20 years, and that for more than 20<sup>YEARS</sup> no one has been in possession of any part of said property claiming adverse to said owners, nor has affiant known of anyone claiming any right, title or interest in or to said property, adverse to said owners, nor has

he ever heard anyone dispute or question the title of said owners to said lands.

Richmond Howard  
Richmon Howard



Sworn to and subscribed before me this 18th day of November, 1960.

W. W. Rabren  
W. W. Rabren, Notary Public

BOOK 212 PAGE 437

**STATE OF ALABAMA  
SHELBY COUNTY**

I, Conrad M. Fowler, Judge of Probate hereby  
certify that the within deed was  
filed in this office for record the 18 day  
of Nov 1960 at 8 o'clock AM.  
and recorded in Book Record 212  
page 435 and examined 11-23-60  
and the Mortgage Tax of \$         
Deed Tax of \$        has been paid.

Conrad M. Fowler  
Judge of Probate

Fee \$ 1.75