

1611
STATE OF ALABAMA

SHELBY COUNTY

Personally came and appeared before the undersigned authority, a Notary Public in and for said County in said State, L. E. Shaw, who, after being first by me duly sworn to speak the truth, depose, and says:

My name is L. E. Shaw, known as Luther Shaw, and I am 68 years of age, and have lived in Aldrich, Shelby County, Alabama, practically all of my lifetime. I was born and raised at Aldrich, and was away in Jefferson and Walker Counties for approximately 10 years, but have lived in Aldrich for the past 30 years.

I have been acquainted with the following described property for the past 50 years:

A part of NW $\frac{1}{4}$ and part of NW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 17, Township 22 South, Range 3 West more particularly described as follows: Commence at Southwest corner of NW $\frac{1}{4}$ of Section 17, Township 22, Range 3 West and run South 88 deg. 30 min. East 351.0 feet; thence turn angle of 10 deg. 10 min. to right and run 290.95 feet to East R/W line of Southern Railroad which is point of beginning; thence turn angle of 8 deg. 21 min. to left and run 479.0 feet; thence turn angle of 87 deg. 05 min. to left and run 221.2 feet; thence turn angle of 7 deg. 51 min. to right and run 108.39 feet; thence turn angle of 11 deg. 57 min. to right and run 186.0 feet; thence turn angle of 21 deg. 59 min. to right and run 122.6 feet; thence turn angle of 69 deg. 19 min. to right and run 329.2 feet to point on West R/W line of County Highway; thence turn angle of 104 deg. 46 min. to left and run along West R/W line of said County Highway a distance of 1072.57 feet; thence turn angle of 102 deg. 12 min. to left and run 752.9 feet to East R/W line of Southern Railroad; thence turn angle of 77 deg. 35 min. to left and run 794.55 feet; thence turn angle of 4 deg. 59 min. to right and run along East R/W line of Railroad a distance of 285.52 feet; thence turn angle of 2 deg. 15 min. to right and run along East R/W. of said Railroad a distance of 148.7 feet; thence turn angle of 11 deg. 06 min. to right and run along East R/W line of said Railroad a distance of 306.47 feet to point of beginning.

I can remember when Fayette Parker and his wife, Julia Parker, lived on the above described property, along with the other adjoining lands which Fayette had bought from George Kroell and his wife, Mary Kroell, by deed recorded in Deed Book 32 at page 515.

I was born and raised within one-fourth mile of the above described property, and for the past 30 years have lived within one-half mile of the above described property.

I know of my own personal knowledge that Fayette Parker was in possession of the above described real estate and other adjoining lands for more than 20 years prior to his selling the above described property to Henry Tolbert, by deeds dated September 19, 1940, and April 24, 1943, and recorded in Deed Books 109, page 226, and Deed Book 212, page 450, respectively, in the Office of Judge of Probate, Shelby County, Alabama.

Although the property was described in said deeds as a part of the SW $\frac{1}{4}$ of Section 17, Township 22, Range 3 West, the property is actually in the NW $\frac{1}{4}$, Section 17, Township 22, Range 3 West, except that part which overlaps on the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 17, Township 22 South, Range 3 West, as shown by a recent survey dated November 25, 1959, by Mr. Frank W. Wheeler, Columbiana, Alabama.

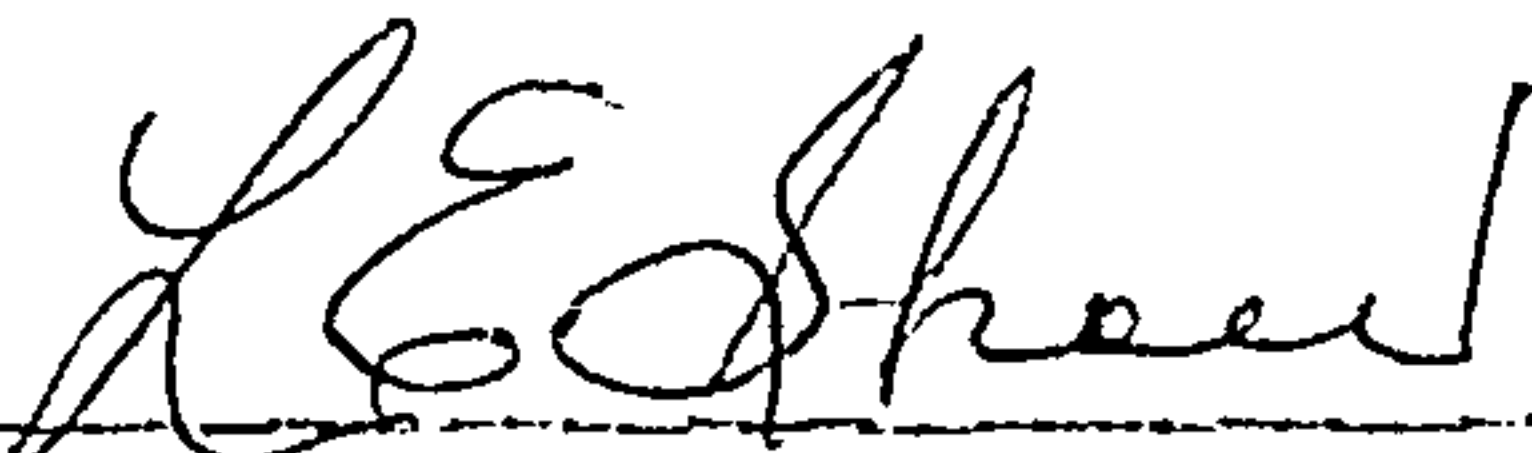
I have been a Justice of the Peace since January 16, 1931, and prepared the deeds referred to above for the parties.

I know that Fayette Parker, at the time of the signing of the deeds referred to above, by he and his wife, that Fayette Parker and his wife Julia Parker were in possession of the above described real estate prior to the sale to Henry Tolbert, and upon execution of the deeds, Henry Tolbert took possession of the above described property, and has been in possession since the delivery of the deeds, and he went into possession of the property in the NW $\frac{1}{4}$ of Section 17, and not in the SW $\frac{1}{4}$ of Section 17.

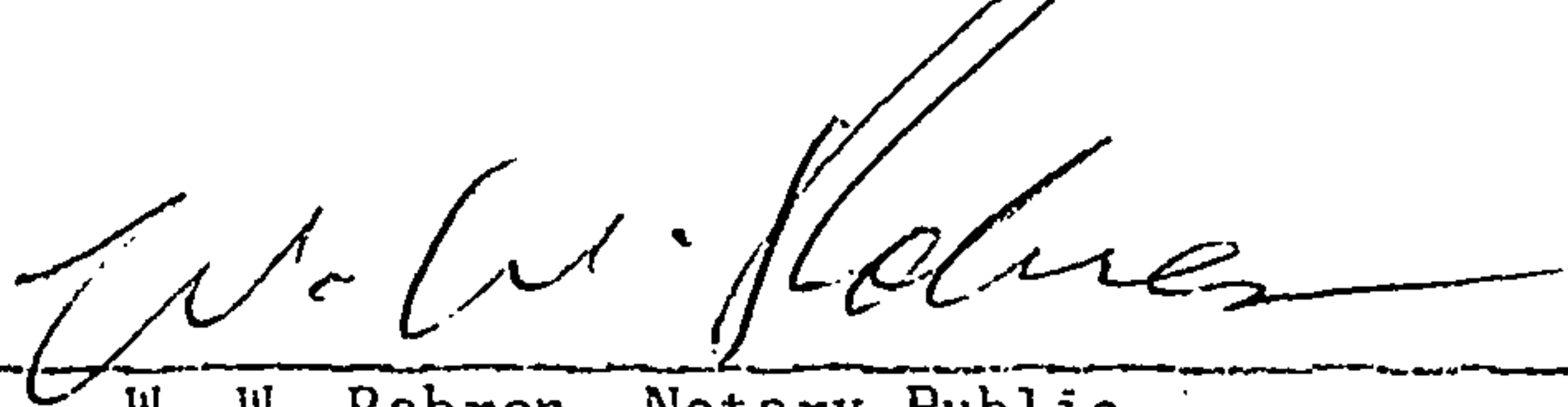
I know of my own personal knowledge that the possession of Henry Tolbert and that the possession of his immediate predecessor in title, Fayette Parker, of the above described real estate, for the past 40 years has been continuous, exclusive, peaceful, quiet, notorious, direct, adverse and hostile and under color of title and claim of ownership, and that for the past 40 years, no one has been in possession of any part of the above described property claimed adverse to Henry Tolbert or Fayette Parker, nor has affiant known of any one 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.

Dated this 17th day of December, 1960.


L. E. Shaw

Sworn to and subscribed before me this 17th day of December, 1960.


W. W. Rabren, Notary Public

STATE OF ALABAMA

SHELBY COUNTY

Personally came and appeared before the undersigned authority, a Justice of the Peace in and for said County in said State, George M. Harrison, who after being first by me duly sworn to speak the truth, deposeth and says:

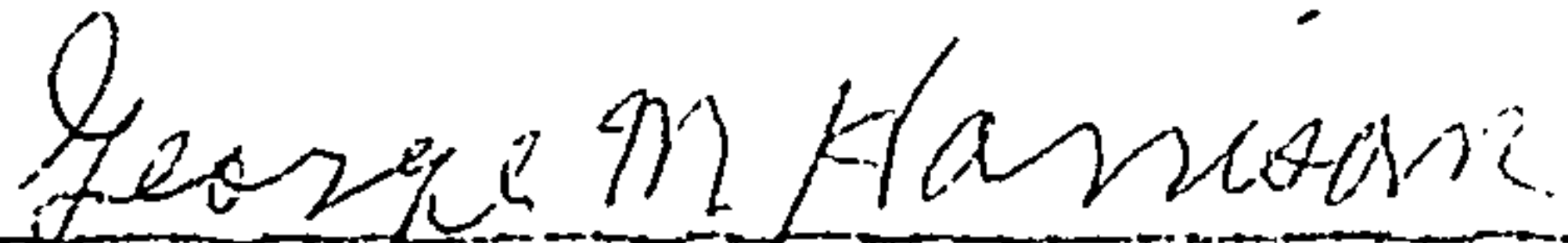
My name is George M. Harrison, and I am 79 years of age, and have lived in Shelby County, Alabama all of my lifetime.

I was born and raised on property which adjoins the real estate described in the foregoing affidavit of L. E. Shaw, and presently reside on property on which I was born which adjoins the property described in said affidavit on the North side, and is the property referred to in the deed to Henry Tolbert by Fayette Parker and wife Julia Parker, dated September 19, 1940, and recorded in Deed Book 109 at page 226, as the George Harrison Land.


I know that the property is situated in the NW $\frac{1}{4}$ of Section 17, Township 22, Range 3 West, and not the SW $\frac{1}{4}$ of said Section 17, as described in the deed.

I have read the foregoing affidavit of L. E. Shaw regarding the adverse possession of said property by Henry Tolbert and Fayette Parker for the past 40 years, and I know of my own personal knowledge that said statements are true, and I adopt said statements as my own.

Dated this 17 day of December, 1960.


George M. Harrison

Sworn to and subscribed before me this 17 day of December, 1960.


L. E. Shaw, Justice of the Peace

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 11 day of Jan 1961 at 8 o'clock and recorded in deed Book 213 at page 313 on the 12 day of Jan 1961. Mortgage Tax Deed Tax has been paid.


Conrad M. Fowler
Judge of Probate

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