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Before me, Oliver P. Head, a Notary Public in and for said County and State, personally appeared Willie Knight, who is known to me, and who, being by me first duly sworn to speak the truth, deposes and says as follows:

My name is Willie Knight. I am seventy-nine years of age and reside near Columbiana on the Shelby Road in Shelby County, Alabama. I have been married to my husband, George Knight, for fifty-six years.

I have been familiar with the ownership and possession of the following described property all of my life and as far back as I can remember:

Section 1,  
The North half of the NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Township 22 South, Range 1 West, containing 20 acres, more or less. All that part of the NE $\frac{1}{4}$  and the East half of the NW $\frac{1}{4}$  and the West half of SE $\frac{1}{4}$  of Section 1, Township 22 South, Range 1 West, which lies West of the L & N Railroad's right of way, except that part of the North half of the NE $\frac{1}{4}$  of NW $\frac{1}{4}$  of said Section 1, Township 22 South, Range 1 West, which lies West of the L & N Railroad, which was formerly sold to W. M. Tyes.

I was raised as a child on property adjoining the above described property, and I remember back before the year 1900 when the Kirklands owned said property when it included the portion which was later sold to W. M. Tyes. The Kirkland family, i.e., Ous Kirkland, Virley Kirkland, King Kirkland, and Henry Williams, owned said property and lived on it for several years in a log house which later burned or rotted down.

I have been informed that the public records show that one A. M. Elliott owned said property after the Kirklands--I do not remember said A. M. Elliott ever possessing the property, and if he owned it, it must have been for a short period of time. I have been informed that the public records show that said A. M. Elliott sold said property to J. P. White in 1902, and when he and his wife I do remember when J. R. White owned said property and / sold it to my uncle, Lafayette Wallace; I have been informed that the public records show the and his wife conveyance from J. P. White / to my uncle to have been in the year 1902.

My said Uncle Lafayette Wallace never lived on said property, but he farmed it, that is, he farmed various fields situated at different locations throughout the entire tract, until he sold said property to Milner and Christian about one year before my husband brought said property from Milner and Christian in 1916.

My uncle, Lafayette Wallace, who was commonly known as "Fate" Wallace, separated from his wife, Paralee Wallace, and he built a house on

said property for her about two or three years before Milner and Christian brought said property. Paralee Wallace moved into said house about 1912 or 1913, and she lived in said house until Milner and Christian brought said property. I have been informed that the public records do not show the deed from my said uncle to Milner and Christian, but it is my definite recollection that he sold said property to them, as stated above.

When my husband brought said property, he and I repaired said house which Paralee Wallace had lived in, as stated above, and we moved in it and lived in it continuously as our home until January, 1955. When we moved in said house in 1916, my oldest child was ten years old, and my husband and I raised seven children in said house. My husband and I moved from said house and off of said property in January, 1955, as stated, into another house located on the Shelby Road, a short distance from said property, where we reside now. The said house is still standing, and my husband and I have rented it to various tenants from 1955 until the present date.

The Northwest corner of the above described property (which is also the SW corner of a tract which my husband and I sold to W.M. Tyes about 1929 and which was a part of the original property until we sold said tract) is marked by a water oak tree. There is a wire fence running East to the L & N line Railroad from said tree (which makes the North boundary of the above described property) and another wire fence running due north along the West line of the W. M. Tyes property from said tree, said fences cornering at said tree. Approximately 220 yards due South from said Northwest corner marked by said water oak tree is an iron stake marking the Northwest corner of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 1, Township 22 South, Range 1 West; from this stake looking due East toward the railroad it is easy to tell what the house situated on said property and which was originally built by my uncle "Fate" Wallace about 1912 or 1913 is situated about fifty yards to the right of a line going from said iron stake due East toward the railroad, or in other words, that said house is situated within the bounds of the SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 1, Township 22 South, Range 1 West.

The East boundary of the above described property is marked by the West line of the L & N Railroad's right of way, except that said above described property extends to the East of the East line of said L & N right of way to



include a small area East of said right of way in the North half of NE $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 1, Township 22 South, Range 1 West.

During the time since my husband brought the above described property in 1916 and up until about eight years ago, my husband farmed over half of the total acreage each and every year. He made our living during all of this period of time by farming said property, raising cotton and corn on various fields situated throughout said property. During this period of time, he sold timber many times from the parts of the above described property which were not in cultivation, selling the timber several times to Mr. Arthur Moore, to Mr. Walter Horton, and to others. In 1951 he and I gave a transmission line permit to the Alabama Power Company covering a portion of said property, and we have mortgaged said property, or portions thereof, to various persons many times since 1916.

Dock Wallace, who died some fifteen years ago, was a child of my uncle, "Jack" Wallace, and a cousin of mine. Said Dock Wallace nor none of his family have ever owned, possessed, or claimed the above described property, or any interest therein, or portion thereof, the property owned or claimed by said Dock Wallace or his family being situated entirely East of the L & N Railroad's right of way and east of the above described property. Likewise, the property which Dock Wallace sold to Herman Jones, Fannie Mae Jones, and Herman Jones, Jr., and which was later brought by Jack Thomas, was supposed to lie east of the L & N Railroad's right of way and East of the above described property, but it is my understanding that, through some mistake, Jack Thomas obtained a deed encroaching on that portion of the above described property which lies in the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 1, Township 22 South, Range 1 West.

The property formerly owned by G. P. Robinson before his death, containing some five acres and a house, and erroneously described in a tax sale shown at page 302 to Tax Sale Record 8, Office of Judge of Probate, Shelby County, Alabama, as being in the Southwest corner of the SW $\frac{1}{4}$  of NE $\frac{1}{4}$ , Section 1, Township 22, Range 1 West, is actually situated entirely to the West of the above described property. Said G. P. Robinson, nor none of his heirs or assigns, have never owned, possessed, or claimed the above described property, or any interest therein or portion thereof.

George S. Busby, who killed himself some twenty years ago, owned property about a mile from the above described property, and said George S. Busby, nor none of his heirs or assigns, have never ever owned, possessed, or claimed the above described property, or any interest therein or portion thereof.

It has been brought to my attention that certain public records in the Courthouse in Columbiana show that the SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 1, Township 22 South, Range 1 West, was sold at a tax sale for 1917 taxes under an assessment of "owner unknown" to the State of Alabama and that said forty acre tract was later conveyed by a tax deed to Paul O. Luck and R. Brewer on February 28, 1928, as shown at page 519 of Deed Book 85. It is my recollection that my husband and I have paid the taxes on all of the above described property since 1916, when my husband brought said property, and it may be that the assessment of said forty acre tract under "owner unknown" was a double assessment. It is my definite knowledge that said Paul O. Luck and R. Brewer, or the heirs or devisees of Mr. Luck, or Lena Brewer, or Harris M. Gordon, <sup>or Ruth Luck Gordon</sup> have never possessed said forty acre tract, nor any part of the above described property, since back before 1900 when the Kirklands owned said property and until the present date. Said SE $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 1, Township 22 South, Range 1 West, is the same forty acre tract on which my uncle "Fate Wallace" built the house which his wife lived in, as stated above, which said house was repaired by my husband and I and <sup>was</sup> lived in by us as our homestead from 1916 until 1955.

Likewise, I have been informed that said Paul O. Luck and R. Brewer have tax titles which encroach in some way on the above described property, as shown at page 513 of Deed Book 85 (five acres) and as shown at page 59 of Tax Sales Record 15 (a 1955 tax sale which slightly encroaches). Said Paul O. Luck or R. Brewer, or the heirs or devisees of Mr. Luck, or Lena Brewer, <sup>or Ruth Luck Gordon</sup> or Harris M. Gordon have never possessed any part of the above described property since before 1900 and until the present time, as stated above.

My husband, George Knight, and his predecessors in title, have been, to my personal knowledge, in the actual, notorious, exclusive, continuous, open hostile, adverse possession of all of the above described property, under their claims of right to the property by <sup>their</sup> warranty deeds, as stated above, since before 1900, when I first became familiar with the ownership and possession of the said property, and until the present date. I have never



heard of anyone queesting the title or ownership of my said husband oxcopt as stated above in this affidavit since before 1900 and until the present.date.

x Willie Knight  
Willie Knight

Sworn to and subscribed before me this 5<sup>th</sup> <sup>September,</sup> day of August, 1961.

Oliver P. Head  
Oliver P. Head, Notary Public

STATE OF ALABAMA

SHELBY COUNTY

Before me, Oliver P. Head, a Notary Public in and for said County and State, personally appeared George Knight, who is known to me, and who, being by me first duly sworn to speak the truth, deposes and says as follows:

My name is George Knight. I am eight-two years of age and am the husband of Willie Knight, who has made the affidavit set forth above. I am the owner of the property first described in said affidavit of Willie Knight, and I have been the owner of said property since 1916. I do not know of my own personal knowledge who owned and possessed said property before Milner and Christian who sold said property to me in 1916.

I have read, or have had read to me, the above affidavit of Willie Knight, and I know of my own personal knowledge that the facts stated in said affidavit pertaining to said property since 1916 are true and correct.

George Knight  
George Knight

Sworn to and subscribed before me this 5<sup>th</sup> <sup>September,</sup> day of August, 1961.

Oliver P. Head  
Oliver P. Head, Notary Public

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON  
1-9-10 PM  
1962  
RECORDED & INDEXED  
& \$1.00 TAX HAS BEEN  
PD. ON THIS INSTRUMENT.  
Conrad M. Fowler  
JUDGE OF PROBATE