

1384

STATE OF ALABAMA
SHELBY COUNTY

Before me, R. C. Henderson, the undersigned authority in and for said County, in said State personally appeared L. A. Battle, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is L. A. Battle. I am 82 years of age and live at Montevallo, Alabama. I have been well acquainted with the hereinafter described land for the past 35 to 40 years. Said land being described as follows:

Commence at the northeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4, Township 24 North, Range 12 East, thence run west along the north line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ a distance of 253.0 feet; thence turn an angle of 71 deg. 04 min. to the left and run a distance of 191.46 feet to the point of beginning; thence continue in the same direction a distance of 230.28 feet to the northeast margin of an unpaved street; thence turn an angle of 113 deg. 13 min. to the right and run along the northeast margin of said street a distance of 245.80 feet to a point on the southeast right of way line of Alabama Highway No. 25; thence turn an angle of 86 deg. 08 min. to the right and run along the southeast right of way line of said highway a distance of 202.45 feet; thence turn an angle of 90 deg. 39 min. to the right and run a distance of 168.76 feet to the point of beginning; being situated in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4, Township 24 North, Range 12 East, Shelby County, Alabama.

I recall when said property was owned by Lavonia B. Mulkey. I recall when Dr. E. G. Givhan purchased the property from the Mulkeys at a Foreclosure Sale in 1917. I do not recall the exact date Dr. Givhan purchased it, but remember well he did purchase it and know he did rent it out to tenants each and every year until his death. In fact, I rented the land and cultivated it 2 or 3 years during that time. After Dr. Givhan's death, his estate continued in the actual possession of said land until his widow, Lena P. Givhan sold it to J. T. Doster in March, 1943, as shown by deed recorded in Deed Book 114 page 453 in the Probate Office of Shelby County, Alabama. I did not know until the matter was called to my attention that Dr. Givhan had actually sold it to J. T. Doster, but I do recall when Floyd Miles purchased the land from the Estate of J. T. Doster and I am informed this was in September, 1944. I do recall that Floyd Miles went into immediate possession of said land and built a house on it some 2 or 3 years after he bought it and the house remained there for a few years and burned. After that Floyd Miles continued in the actual possession of said property as he had before that time and he cut hay from it each and every year until the present date.

Affiant further says that he has never heard of anyone contesting the title or disputing the possession of Floyd Miles or his predecessors in title during the time he has known said land.

Sworn to and subscribed to before me this 18th day of June, 1962.

L. A. Battle
L. A. Battle

R. C. Henderson
Notary Public

State of Alabama

Shelby County

Before me, L.C. HENDERSON, the undersigned authority
in and for said County in said State, personally appeared Beatrice Battle, who,
after being by me first duly sworn to speak the truth, deposes and says:

My name is Beatrice Battle. I am 64 years of age and I am also familiar
with the real estate described in the above affidavit of L. A. Battle. I have
read the affidavit made by L. A. Battle and from the time I first remember
said land, about the year 1927, I know the matters and things mentioned in
said affidavit of L. A. Battle are true and correct.

Beatrice Battle
Beatrice Battle

Sworn to and subscribed to before me
on this 18th day of June, 1962.

L.C. Henderson
Notary Public

STATE OF ALA. CLERK OF
I CERTIFY THIS INSTRUMENT
WAS FILED ON 8/17/62
RECORDED & INDEXED
A Q. L. DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

Clarence M. Jenkins
JUDGE OF PROBATE

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