

STATE OF ALABAMA  
SHELBY COUNTY

Before me, *Martha B. Joiner* the undersigned authority in and for said County, in said State, personally appeared W. E. Horton, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is W. E. Horton. I am 60 years of age and have lived in Shelby County, Alabama, all of my life and for several years have been well acquainted with the following described land:

The S½ of the NE¼ of Section 32, Township 21, Range 1 West, Shelby County, Alabama.

I recall that Roxie Hayes, a colored woman, bought this land in for taxes in 1930 and that she kept it a few years and let it sell for taxes in June of 1936, as shown by Tax Sale Record 12 page 172 in the Probate Office of Shelby County, Alabama. The State's interest was purchased by W. C. Butler and Henry Naish. Henry Naish died and his heirs sold their interest to W. C. Butler, as shown by deed dated June, 1939 and recorded in Deed Book 106 page 368 in said Probate Office. W. C. Butler sold a one-half interest in the land to Anna Nabors in August of 1939, as shown by deed recorded in Deed Book 108 page 229 in said Probate Office. Affiant says that he and his brothers, R. F. Horton and J. A. Horton purchased said land from Anna Nabors and W. C. Butler later in the year 1939 and Mr. Paul O. Luck fixed the deeds, but the deed has been lost or destroyed without ever having been recorded. Affiant further says he and his brothers went into immediate possession of the land and fenced it in and the same fence is still around portion of it to this very day, being more than 20 years. Later I purchased my brother J. A. Horton's interest. A short time thereafter, R. F. Horton and I divided it and I took the SE¼ of NE¼ of said Section 32 and R. F. Horton took the SW¼ of NE¼ of said Section 32. I put up a fence between the land I took and that of R. F. Horton.

Affiant says that he has sold off portion of the 40 acres owned by him and that immediately after he went into possession of said SE¼ of NE¼, he built a house on it and he has lived in the house continuously until this very day.

Affiant further says he has never heard of anyone contesting the title or disputing his possession of the forty he now owns or the forty his brother owns, or those persons through whom they claim since he has known said property.

Sworn to and subscribed to before me on this the 10 day of May, 1962.

*Martha B. Joiner*  
Notary Public

*W. E. Horton*  
W. E. Horton  
STATE OF ALA. SHELBY CO.  
I CERTIFY THIS INSTRUMENT  
WAS FILED ON 4 PM  
8-15 1963  
RECEIVED S. & S. MFG. TAX  
& S. & S. MFG. TAX HAS BEEN  
PAID ON THIS INSTRUMENT.

*J. M. Decker*  
JUDGE OF PROBATE