

3590

STATE OF ALABAMA
SHELBY COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared J. E. Falkner, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is J. E. Falkner. I am one and the same person as J. Elmer Falkner who formerly owned the hereinafter described land;


SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 18, Township 18, Range 2 East, Shelby County, Alabama.

I have known said property since Birmingham Acreage Company first purchased the same in 1910 as shown by page 605 of Deed Book 44 in the Probate Office of Shelby County, Alabama. I recall when Birmingham Acreage Company sold the same to W. C. Gewin in 1914, and understand W. C. Gewin sold the land to American Finance and Bond Company in 1914. Affiant says said Company immediately sold the same to Frank L. Munroe of River Forest Illinois in August of 1914 and he later sold the property in 1935 to Frank B. Munroe. Affiant says he recalls A. B. Mackey looked after the property for Birmingham Acreage Company and for W. C. Gewin when they owned it. Mr. Mackey lived at Sterrett on property adjoining the above described land. Affiant says A. B. Mackey kept trespassers off and kept fires from burning over the land and protected the ownership and possession of said prior owners. Affiant says Frank B. Munroe after he purchased said land, sold the cross-ties on it over a period of years and also sold the other timber for barrel staves and other purposes. The said Frank B. Munroe lived in Sterrett on the tract of land he purchased which included the above 10 acres of land. After Frank B. Munroe moved to Florida, affiant looked after the land until affiant purchased it in 1946, as shown by page 522 of Deed Book 123 in said Probate Office. Affiant says he sold the timber on the land to Edwards, Weldon and Green and they cut the same over a period of two years. Affiant was by the land every day and observed it and no one disputed the claim of affiant to said property. Affiant sold the property to his brother in-law, James T. Harwell and his wife Flora S. Harwell, in June of 1946, and affiant continued to look after the land for them. In 1950 the Harwells sold said property to Marcus and Joy Hinson Hancock as shown by deed recorded in Deed Book 140 page 427 in said Probate Office and affiant continued to look after the property for the Hancocks. Affiant says he recalls with the Hancocks sold said land to James A. and Robert Dalton Johnson in May of 1951, as shown by deed recorded Deed Book 213 page 440 in said Probate Office. Affiant says James A. later sold his interest to Robert D. Johnson and Evelyn Johnson and they are now the present owners of said property. I know that Robert D. Johnson has cut the timber from time to time since he purchased the same

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200X

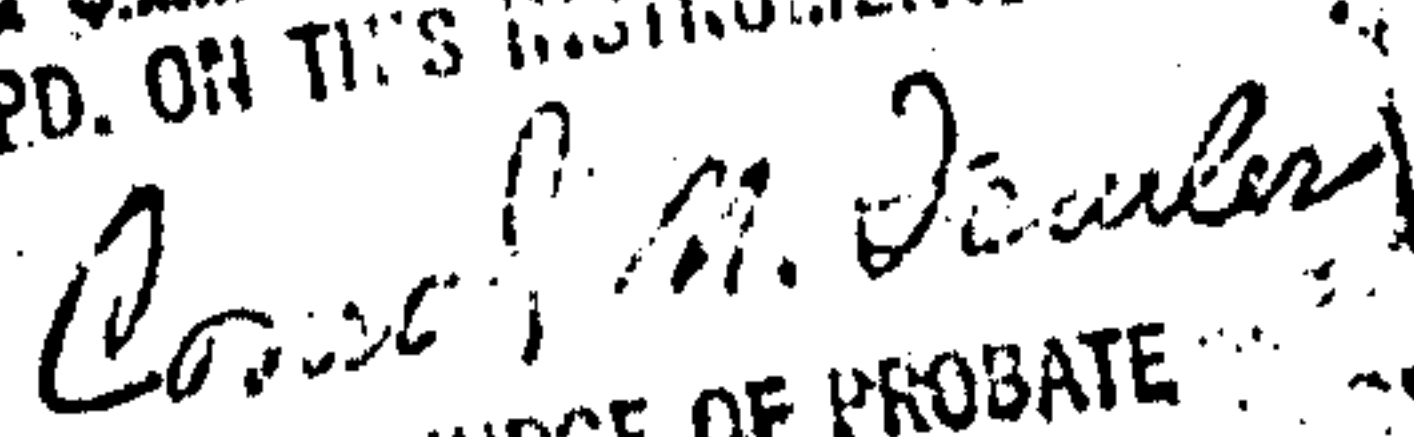
and know he has been in continuous possession of it until this very day and I have never heard of anyone contesting their title or disputing their possession of said land.

Affiant says he has never known of E. L. Stringfellow claiming to own any interest in said land. I am familiar with the deed from A. C. Spradley and wife and A. J. Spradley and wife to E. L. Stringfellow dated May 10, 1943, recorded in Deed Book 115 page 559 in said Probate Office, in which they conveyed the above land, along with other land. Affiant says after Mr. Stringfellow purchased the land, he came to affiant and told affiant he had gotten a deed covering the first above described ten acres but recognized they did not own it and that he was not making any claim to it. He told affiant he had paid \$30.00 for the ten acres, so affiant gave Mr. Stringfellow \$30.00 and Mr. Stringfellow never made any claim to the property.


J. E. Falkner

Sworn to and subscribed to before me on
this the 16th day of April, 1965.


Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 4/16/65
RECORDED & \$ MTG. TAX
& \$ DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

JUDGE OF PROBATE

265-2-10-392