

3662

STATE OF ALABAMA)
SHELBY COUNTY)

Before me, the undersigned authority, personally appeared L. E. Shaw who, after being duly sworn to speak the truth deposes and says as follows:

My name is L. E. SHAW and I reside at Route one, Wilsonville, Alabama. I am 69 years of age and am intimately acquainted with the hereinafter described property and have been so acquainted for a period of for over 50 years. I presently reside within approximately $\frac{1}{2}$ mile of said property, to-wit:

Two acres in a square in the SE corner of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 32 Township 19 South, Range 1 East, and more particularly described as follows: Beginning at the SE corner of said $\frac{1}{4}$ - $\frac{1}{4}$ Section and running North 98 yards; thence West 98 yards; thence South 98 yards; thence East 98 yards to point of beginning.

As a boy I attended school in a school house which was situated on the above described property. There never was, I understand, a deed to the state or the board of education or to any person for school purposes but the same was used for a school for many years. On March 5, 1938, C. J. Faulkner purchased the above described land at public auction from the state of Alabama after the state and the board of education of Shelby County Alabama certified to the State of Alabama that it was to the best benefit of the public school interest that said land be sold. The deed to said C. J. Faulkner was recorded in Deed Book 130 at page 112. Immediately after the execution of the above said deed in 1928 said C. J. Faulkner went into the actual open, notorious, exclusive, and adverse possession of said property and thereafter tore down the building located thereon and used the lumber compromising to build a residence in Columbiana, Alabama. From March 5, 1928, up until the time said property was sold to Arthur Blackburn and Loma Buchannan by deed recorded in Deed Book 199 at page 100, dated February 7, 1959, said C. J. Faulkner and his wife Ethel B. Faulkner remained in the actual, open, exclusive, hostile, and notorious possession of said property claiming to own the same in their own right and against the world. As afore-stated, on February 7, 1959, Ethel B. Faulkner and C. J. Faulkner executed

a deed to the above described property to Arthur Blackburn and Loma Buchanan . Immediately after the execution of this deed the said Arthur Blackburn and Loma Buchanan went into the actual, open, hostile, exclusive, adverse, and notorious possession of said property and actually constructed a new residence and home thereon and immediately began to reside on said property in the home that they had constructed. Arthur Blackburn and Loma Buchanan remained so in possession until they sold the above described property to C. D. Young and his wife, Mary I. Young on June 4, 1960 by deed recorded in Deed Book 209 at page 274 in the Probate Records of Shelby County, Alabama. Immediately upon the sale to the Youngs, C. D. Young and his wife Mary I. Young, went into the actual, open, hostile, exclusive, adverse, and notorious possession of said property and resided in the dwelling situated thereon up to and including the date that this affidavit bears date.

Said C. D. Young and his wife Mary I. Young and those through who he claims title as aforesaid have been in the actual, open, exclusive, hostile, adverse, and notorious possession of said above described property since March 5, 1928, and no other person, firm, or corporation has been in possession of said lands or any part thereof since said March 5, 1928. I have never^{HEARD} the title of said C. D. Young and wife Mary I. Young questioned in any way during the more than 50 years that I have known said property.

L. E. Shaw
L. E. SHAW

Sworn to and subscribed to me
this 29 day of March, 1965.

Frank Ellis, Jr.
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 8/28
1965
RECORDED & INDEXED
E. S. DEED
PD. CLERK'S OFFICE

James M. Jones
JAMES M. JONES