

3957
STATE OF ALABAMA

SHELBY COUNTY

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

My name is W. H. Cliett. I am 64 years of age and have lived in Childersburg all of my life and have all along been well acquainted with the hereinafter described land and the persons in possession of it. Childersburg is situated just across the river from the hereinafter described land and I have had an opportunity to know the land quite well. Said land being described as follows:

All that part of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and of the SW $\frac{1}{4}$ lying east of the Central of Georgia Railroad, and all that part of SE $\frac{1}{4}$ lying west of the Coosa River, Section 6, Township 20 South, Range 3 East;
Also all that part of Section 7 lying east of the Central of Georgia Railroad and west of the Coosa River, in Township 20 South, Range 3 East;
Also all that part of Section 8 lying west of the Coosa River in Township 20 South, Range 3 East;
Also all that part of Section 17 lying west of the Coosa River in Township 20 South, Range 3 East;
Also all that part of NE $\frac{1}{4}$ of Section 18 lying east of the Central of Georgia Railroad and north and west of the Coosa River, in Township 20 South, Range 3 East;
All being in Shelby County, Alabama, and containing 600.0 acres, more or less.

When I first remember said land, it was owned by Walter Hoffman and I would say that was about the year 1919, soon after World War I. Affiant says the land was bordered on the west by the Central of Georgia Railroad, on the east and south by the Coosa River and on the north side, except for a small portion, by the Willie Jackson property which is now owned by Kimberly-Clark Corporation. Mr. Walter Hoffman rented the above described land to tenants, various ones, with Bill Waites as foreman over the tenants and he looked after the land for years. I recall some of the tenants in the past were J. T. Robinson, Ed Lee, Mr. Sanders, Will Abbott and several other tenants whose names I do not now recall, but I know Walter Hoffman rented it out for share cropping each and every year while he owned it until the year 1928, when he sold it to J. J. Hightower and M. G. Hightower on February 4, 1928, as shown by deed recorded in Deed Book 100 page 448 in the Probate Office of Shelby County, Alabama. Affiant says J. J. Hightower and M. G. Hightower went into immediate possession of said land and rented the same out to tenants as the Hoffmans had before them. The tenants raised mostly cotton, but some corn also, on the place. M. G. Hightower conveyed his interest to J. J. Hightower on April 2, 1948, as shown by deed recorded in Deed Book 135 page 427 in said Probate Office. Milton G. Hightower is one and the same as M. G. Hightower. Affiant does not recall the exact date this was conveyed, but does recall the

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occasion. After J. J. Hightower purchased said land, he continued in the possession of it as he and M. G. Hightower had before him and he continued to rent the land out to tenants who planted cotton and some corn. Some of the tenants who Mr. Hoffman had rented to continued to rent from the Hightowers and I recall R. T. Sims also rented from the Hightowers. Affiant says Robert N. Hightower lived on the west side of the railroad on other lands owned by the Hightowers and he looked after the entire lands which they owned which included the above which is known as the Hoffman farms. He lived there from 1928 until 1933. After that time, J. J. Hightower seemed to take the lead looking after the farm and this continued until J. J. Hightower purchased the farm and he continued to look after it until his health became so bad he couldn't and on December 15, 1959, he conveyed the same to Bernice Hightower, Martha Hightower, Louise Bridgwater, Neal Hightower Bridgwater and John Bridgwater as shown by deed recorded in Deed Book 207 page 408 in said Probate Office. Affiant says he does not recall the exact date of this conveyance, but does know the conveyance was made and he knows John Milton Hightower of Sylacauga has looked after the land for said persons each and every year since that time and until the present date. Said tenants continued to cultivate cotton and some corn each and every year until the present time and the tenants now living on the land are Will Abbott, Mr. Etress and R. T. Sims. Affiant says he know J. J. Hightower well and was a good friend and knew him throughout his lifetime and visited with him from time to time on up until his death on January 30, 1965. Affiant says although his physical health was bad, he knows his mind was good and "clear as a bell" right on up until his death.

Affiant further says he knows where the Central of Georgia Railroad is located and knows it forms the west boundary of the above described land and affiant knows where U. S. Highway 280 is situated, it being the only highway crossing the Coosa River going north and said Highway is situated west of the Central of Georgia Railroad and does not touch the above described land at any point. There is called to affiant's attention a right of way deed from J. J. and M. G. Hightower to Shelby County dated September 24, 1937, and recorded in Deed Book 103 page 313 in said Probate Office covering a 120 foot right of way for the highway and affiant says this could only apply to U. S. Highway 280 which does not touch the above described property. There has also been called to affiant's attention a right of way deed from Hightower Brothers to Alabama State Bridge Corporation dated November 13, 1928, recorded in Deed Book 90 page 370 in said Probate Office covering a 200 foot right of way. Affiant says this is in connection with U. S. Highway 280 and the bridge crossing the river and the same is situated west of

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the above described land and does not touch said land at any place. There has also been called to affiant's attention a right of way deed from J. J. Hightower to Shelby County made in 1950 recorded in Deed Book 149 page 310 across Sections 1 and 12 in Township 20, Range 2 East. Affiant says this right of way does not cross any portion of the above described land.

There has been called to affiant's attention the deed from Milton G. Hightower and wife to J. J. Hightower made on April 2, 1948, as shown by deed recorded in Deed Book 135 page 427 in said Probate Office, which conveyed the above described land with the remainder of the Hoffman farm lying west of the Central of Georgia Railroad. Affiant says he knows where the Chancellors lands and Anderson lands were located west of the Hoffman farm and knows Mamie Broyles owned land north of the Hoffman farm bordering the river. Affiant does not recall the lands owned by Mrs. Frank Robinson, but affiant says the above described land is bordered by the Central of Georgia Railroad and the Chancellors, Anderson and Robinson lands do not affect it.

Affiant says he is familiar with the location of a service station formerly leased to Edwin Widemire on June 17, 1957, as shown by deed book 187 page 523 in said Probate Office and affiant says said service station is situated on the west boundary of U. S. Highway 280 and does not join the above described land at any point. It also lies west of the Railroad.

Affiant says he is familiar with Chancellor Island, sometimes called Prince Island in the Coosa River which is situated in the SW₄ of Section 18, Township 20, Range 3 East and know the same is situated west of U. S. Highway 280 and does not at any point touch or have any bearing on the above described land.

Affiant further says throughout all the years he has known the above described land, he has never heard of anyone contesting the title or disputing the possession of the Hightowers and Bridgwaters or their predecessors in title.


W. H. Clift

State of Alabama
Talladega County

Sworn to and subscribed to before me on this
the 23rd day of April, 1965.



Notary Public State of Alabama
at Large

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State of Alabama

Shelby County

Before me, the undersigned authority in and for the State of Alabama at Large, personally appeared John Milton Hightower, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is John Milton Hightower. I am 64 years of age and have read the above affidavit of W. H. Cliett and as far back as I can remember, I know the above affidavit to be true and correct and I am quite familiar with the activities carried on on the above described farm, as I have helped look after it during the earlier years the Hightowers owned the same and for the past several years have looked after it more closely. I know that since J. J. Hightower and M. G. Hightower first purchased the property and up until this very day the Hightowers have assessed and paid taxes on the land each and every year and no one else has assessed it or made any claim to said land. One of the owners of the land is John Bridgwater III, who is shown on the deed as John Bridgwater.

John Milton Hightower
John Milton Hightower

State of Alabama

Telladega County

Sworn to and subscribed to before me
this the 23rd day of April, 1965.

Harold Harrison
Notary Public for State of
Alabama at Large

State of Alabama

Shelby County

Before me, the undersigned authority in and for said State of Alabama, at Large, personally appeared Will T. Abbott, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is Will T. Abbott. I am 88 years of age. I have been familiar with the property described in the affidavit of W. H. Cliett for the past 60 years or more. I have been living on the farm all of that time, except for approximately 4 years. I have read the above affidavit of W. H. Cliett and know the same to be true and correct from as far back as I can remember the property until the present day. I also recall Jake Barnett, Ed Abbott and James Foster who were also tenants at one time on said farm.

Affiant says there are no main power lines crossing the above described land; that the only electric power lines are the local ones serving the tenant houses.

Since I have known said land, I have never heard of anyone contesting the title or disputing the possession of the Hightowers or their predecessors in title.

This mark

Will T. Abbott

Will T. Abbott

State of Alabama

Shelby County

Sworn to and subscribed to before me on this the 23rd day of April, 1965.

Harold Harrison

Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS INSTRUMENT
WAS FILED ON 5-23 1965
RECORDED & \$ MTG. TAX
& \$ DEED TAX HAS BEEN
PD. ON THIS INSTRUMENT.

Corral H. Decker
JUDGE OF PROBATE

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