

2857

STATE OF ALABAMA
SHELBY COUNTY

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

My name is C. H. Fulton. I am 74 years of age and have lived in the Saginaw-Siluria community practically all of my life and have all along been well acquainted with the hereinafter described land and have known the persons in possession of it. Said land being described as follows:

A part of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 1, Township 21 South, Range 3 West, described as follows: Commence at the SW corner of said $\frac{1}{4}$ - $\frac{1}{4}$ Section and run easterly along south line a distance of 624 feet to point of beginning, which point is southeast corner of Tolbert land; thence run north along east line of Tolbert land and lands belonging to Board of Education, a distance of 210 feet; thence run east 315 feet; thence run south 210 feet to south line of said forty; thence west along south line of said forty a distance of 315 feet to point of beginning; being situated in Shelby County, Alabama.

I first recall said land when it was conveyed to Rubin Walker and Mattie Walker about the year 1905 as shown by deed recorded in Deed Book 39 page 495 in the Probate Office of Shelby County, Alabama. It is my understanding he purchased the entire SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 1, but I am not sure whether or not he purchased other land at that time. There was a house situated on the above described land and Rubin Walker and his wife lived there until soon after the year 1910 when the house burned. I moved away from the County for a while and when I came back in the year 1920, Rubin Walker had built a new house and was living in it and he continued to live there until his death some 20 years ago. Affiant did not keep up with the land for a few years, but next remembers it when Annie Mae Horton and Earl Horton purchased it in the year 1950 and he knows they have lived there until this very day. They have cultivated a garden and raised some chickens and used it as their homeplace continuously to this very day.

I have never heard of anyone contesting the possession or disputing the title of Earl Horton and Annie Mae Horton or their predecessors in title throughout all the years they have owned the same, and I have known said property.

Affiant is not familiar with the location of 6 $\frac{2}{7}$ acres of land which W. R. Turman, Sr. sold to K. B. Nickerson and he in turn sold to S. W. Pardue, but affiant knows no one has been in possession of the ~~land~~ described land, except for the persons mentioned in this affidavit and they are the persons who have owned and claimed it during all these years.

Sworn to and subscribed to before me
on this the 21st day of October, 1966.

Notary Public

Justice of Peace

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1967 MAR -4 PM 11:07
U.C. FILE NUMBER OR
PAGE AS SHOWN ABOVE
Consent of Affiant