

3395

STATE OF ALABAMA

SHELBY COUNTY

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

My name is Robert Butler. I am 54 years of age and have lived in the Elliottsville Community all of my life and have all along been well acquainted with the hereinafter described land and the persons in possession of it. Said land being described as follows:

SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 15, Township 21, Range 3 West, Shelby County, Alabama.

When I first recall said land it was owned by S. B. Tucker and his wife and it was part of the S. B. or Berry Tucker homeplace and he occupied it as such. I am informed he made a mortgage on the land and it was foreclosed, but I do not know the details about this. I do recall when J. B. Griffin and Sam Lit purchased the land in 1917. They went into immediately possession of the same, paid the taxes and claimed to own it until they sold the same to K. B. Nickerson in 1917. I know K. B. Nickerson went into the actual possession of the land and used it for timber growing purposes and claimed to own it continuously until he sold the land to A. L. Pope in 1928, as shown by deed book 83 page 454 in the Probate Office of Shelby County, Alabama. I am informed that A. L. Pope and wife sold the same to Mrs. Maude Gibbs in May of 1929, but that they had mortgaged the same to A. C. Johnson, who assigned it to Benjamin Realty Company, Inc. and that Company later foreclosed, but I am not familiar with these details; however, I never heard of Maude Gibbs or Benjamin Realty Company ever making any claim to said land. Affiant is informed that Albert L. Cox purchased the land for its taxes in 1946 and affiant knows that Albert L. Cox and wife sold the land to J. A. Hines on July 16, 1946, as shown by deed book 127 page 290 in said Probate Office. The said J. A. Hines went into immediate possession of the land and claimed to own it and paid taxes thereon until 1950 when he sold it to Floyd L. Hawkins and wife. Mr. & Mrs. Hawkins went into immediate possession of the land and the open land has been used for hay and the wooded portion has been cut off from time to time.

I have never heard of anyone making any claim to the land, contesting the title or disputing the possession of Mr. & Mrs. Floyd L. Hawkins or their predecessors in title throughout all the years I have known the land.

Sworn to and subscribed to before
me on this the 11 day of April, 1967.

Robert Butler
Robert Butler

J. Richardson
Notary Public

100247 PAGE 710

STATE OF ALABAMA

SHELBY COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared George Lee Green, who, after being by me first duly sworn to speak the truth, deposes and says:

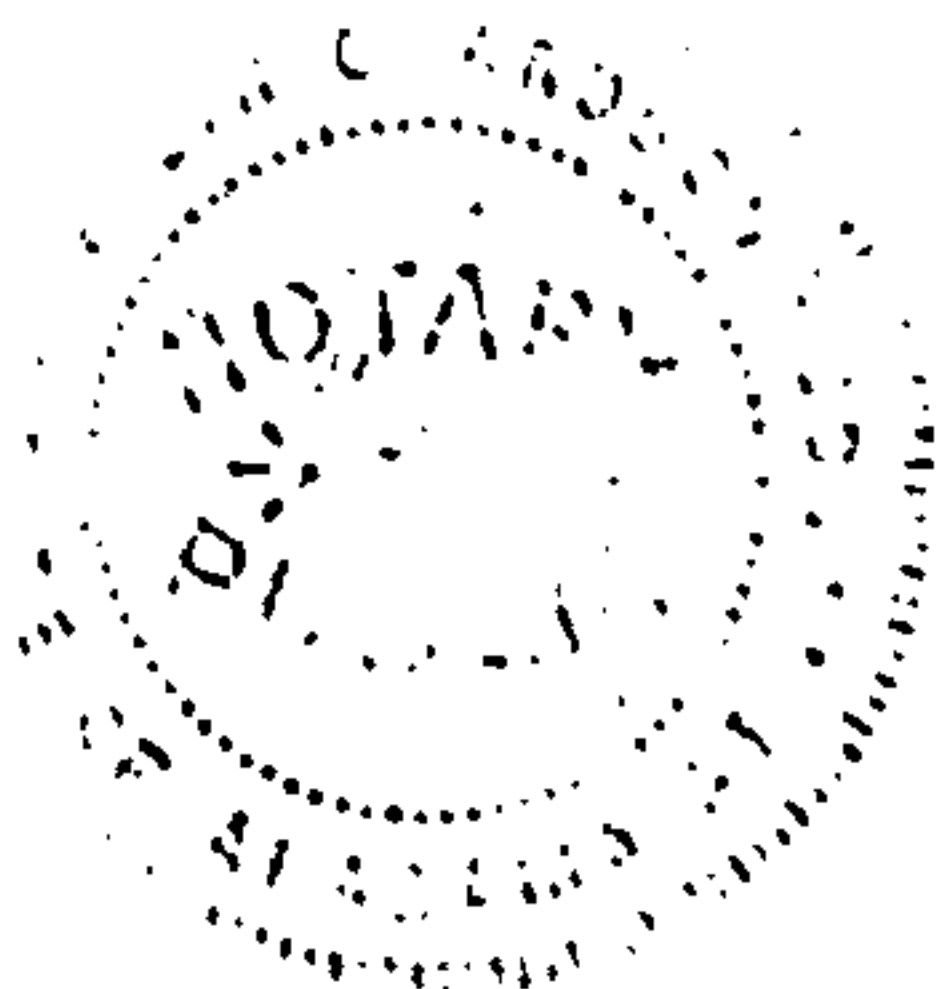
My name is George Lee Green. I am 58 years of age and when I first recall the land described in the foregoing affidavit of Robert Butler, it was in the hands of the State of Alabama. I wrote to check on the taxes with the State and before I could purchase it, Albert L. Cox had purchased the same. I recall that A. L. Pope and his wife owned the land, but they did not live on it. They did cut some timber, but most of the land was in cultivation. They rented it out to tenants who cultivated it. Affiant knows that Albert L. Cox did buy the land for its taxes and sold it to Dr. J. A. Hines in 1946 a short time after he had purchased it. Dr. J. A. Hines went into possession of the land as the owner and rented it out to tenants who cultivated portions of it until he sold the same to Mr. & Mrs. Floyd L. Hawkins. The said Mr. & Mrs. Hawkins purchased the land as an investment and rented it out to tenants who have cultivated it each and every year until this very day. Affiant says he has never heard of Maude Gibbs or Benjamin Realty Company or anyone else other than the people mentioned in this affidavit ever claiming to own any interest, contesting the title or disputing the claim of Mr. & Mrs. Floyd L. Hawkins or their predecessors in title.

George Lee Green
George Lee Green

Sworn to and subscribed to before me on

this the 11 day of April, 1967.

L. B. Richardson
(Notary Public)



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65-7376
65-2381

STATE OF ALABAMA

SHELBY COUNTY

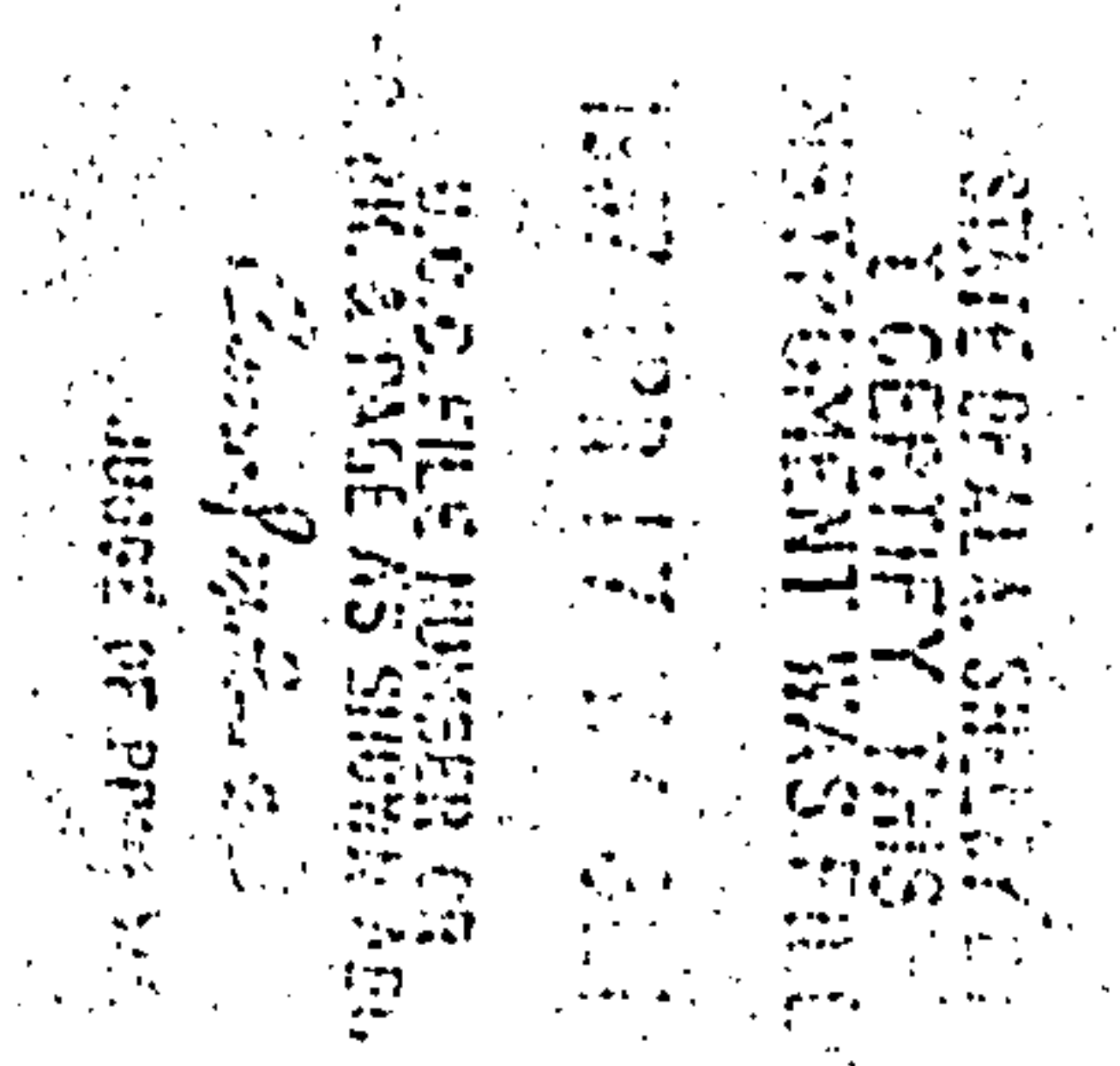
Before me, the undersigned authority in and for said County in said State, personally appeared Ed Richardson, who, after being by me first duly sworn to speak the truth, deposes and says:

My name is Ed Richardson. I am 59 years of age and am presently employed by Emmett Cloud Realty Company in Birmingham, Alabama, where I have occasion to know and hear of Realty companies. I have checked on the Benjamin Realty Company who purchased certain property under a foreclosure deed from A.L. Pope and Mary Pope. I have made investigation and know that the said Benjamin Realty Company has been out of business since about the year 1930.

Ed Richardson
Ed Richardson

Sworn to and subscribed to before me on
this the 11th day of April, 1967.

Walter B. Jones
Notary Public



Book 247 p 711A