

5259
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 75 years of age and have lived in and around the hereinafter described land all of my life. Said land being described as follows:

The N¹/₂ of S¹/₂ of S¹/₂, Section 12, Township 21 South, Range 3 West, Shelby County, Alabama.

Affiant says when he first recalls said property it was owned by Saginaw Lumber Company. It purchased the same in 1902 and in 1913 sold it to J. E. Adams, who was an officer of the Company. Said Company cut the timber from the land after it purchased it back from J. E. Adams. The said Saginaw Lumber Company changed its name to Saginaw Lime & Stone Company about this time. In 1933 Saginaw Lime & Stone Company, joined with J. E. Adams and wife and sold the property to Saginaw Lime Works, Inc. and said Company went into immediate possession of it and used the timber therefrom in connection with its operations and obtained cordwood and other building timber from the same until Longview-Saginaw Lime Works, Inc. sold the timber to me in 1942. I was engaged in the cutting of the timber for some two years and in 1944, I purchased the land in fee simple as shown by deed recorded in Deed Book 113 page 566 in the Probate Office of Shelby County, Alabama. I understand the land was conveyed to me in the name Cleely H. Fulton, that being my name and being one and the same as C. H. Fulton. After I purchased the land I took it into possession and checked the lines and paid taxes on it each and every year and went upon the land frequently to see that no one trespassed or cut the timber and was the owner of it until I sold the same to Johnnie W. Walker ~~xxxxxxxxxxxxxxxxxxx~~ before February 2, 1945, when they sold the same to K. E. Fulton, as shown by deed recorded in Deed Book 122 page 553 in said Probate Office. The said K. E. Fulton lived some 3/4ths of a mile from the land and he cut firewood and building timber from it until he sold the same to J. W. Willis on May 1, 1946. The said J. W. Willis went into immediate possession of the land and sold some chert off it to the County for the building of roads and cultivated portions of it some 2 years. J. W. Willis lived on a 20 acre parcel adjoining this property and was in the actual possession of the above 20 and used it continuously until this very day.

There has been called to affiant's attention a chain of deeds and mortgages beginning with a deed in 1905 from L. A. Hardy to R. E. Bowden and other deeds and mortgages in an abstract which ends with a deed from F. L. Bowden and R. E. Bowden to Franklin C. Cheney in 1922. Affiant says he is familiar with said chain of deeds and mortgages and knows the history of the same and knows the property was assessed erroneously by said persons who wished to use the property for the purpose of borrowing money in New York and the parties admitted at a later time they never claimed any interest in the land. Affiant says he knows they have never been in possession or made any physical claim to said land.

Affiant further says that throughout the years he has known said property, he has never heard of anyone disputing the title or contesting the possession of J. W. Willis or his predecessors in title.

C. H. Fulton
C. H. Fulton

Sworn to, and subscribed to before me on
this the 19 day of June, 1967.

NOTARY

PUB

Notary Public

State of Alabama
Shelby County

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

My name is K. E. Fulton. I was born in 1895 and have been acquainted with the persons owning the above land and have lived in and near the land during this time. I have read said affidavit of C. H. Fulton and know the matters and things contained therein are true and correct.

K. E. Fulton
K. E. Fulton

Sworn to, and subscribed to before me on
this the 19 day of June, 1967.

NOTARY

PUBLIC

Notary Public

STATE OF ALA., SHELBY CO.,
I CERTIFY THIS INSTRUMENT
WAS FILED ON 1136

6-26 1967

RECORDED & \$ MTG. TAX

\$ DEED TAX HAS BEEN
PD ON THIS INSTRUMENT.

Conrad M. Fowler
JUDGE OF PROBATE