

6148

STATE OF ALABAMA
SHELBY COUNTY

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

My name is A. F. Blackerby. I am 83 years of age and have lived in Shelby County, Alabama, all of my life and have all along been well acquainted and familiar with the following described land:

Beginning at a point 100 yards south of the northeast corner of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 34, Township 19, Range 1 West, and run thence west 50 yards; thence south 150 yards to the old Calera public road; thence east along the said old Calera public road to the east boundary of said forty acres; thence north along the east boundary of said forty acres to the point of beginning; being situated in Shelby County, Alabama.

J. A. Fuller of the law firm of Pettus, Fuller & Lapsley took a mortgage from Ewbanks covering 117 acres and when the mortgage was foreclosed it was the intention of the parties to also cover the above described land; however the same was foreclosed and the place sold to me in the name Albert Blackerby and the deed covered 117 acres, but failed to describe the above land. I went into possession of all the land, including the above lot and began assessing it along with the other land and fenced it in, all about the year 1925. I cleared the above land and cultivated it each and every year until approximately 14 years ago when I started renting the same to James L. Taylor and Jewel B. Taylor, being my daughter and son-in-law. Since that time a portion of said land has been fenced in and the Taylors built a house on land adjoining this and used the above land as a lawn and a part of a garden. They still use it for a garden and a portion of their lawn until this very day. As mentioned above I have been assessing said land and paying taxes on it each and every year since 1925 and have been in possession of the same personally or through tenants and have never had anyone to contest my possession or dispute my title throughout the years.

A. F. Blackerby
A. F. Blackerby

Sworn to and subscribed to before me on

this the 14 day of August, 1967.

[Signature]
Notary Public

State of Alabama

Shelby County

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

My name is D. H. Holcombe. I am 76 years of age and have lived

near the above described land all of my life and have all along been well acquainted with the land and the persons in possession of it. I have read said affidavit of A. F. Blackerby and I know for as long as I can remember from the time Mr. Blackerby went into possession of th land until this very day no one has ever contested his title or disputed his possession of the same. I also know the land was formerly owned by Ewbanks and it had been mortgaged and foreclosed and A. F. Blackerby bought it in, along with other land and he has been in possession of it throughout the years to this very day.

D. H. Holcombe
D. H. Holcombe

State of Alabama
Shelby County

Sworn to and subscribed to before me on this
the 14th day of August, 1967.

W. H. L. Jones
Notary Public

State of Alabama

Shelby County

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

My name is C. S. Kendrick. I am 67 years of age and have lived near and in the same community of the land described in the foregoing affidavit of A. F. Blackerby. I have been familiar with the ownership of said parcel and remember when the Eubanks owned the same and mortgaged it and Mr. A. F. Blackerby purchased it at the sale. I have known that A. F. Blackerby has been in the actual peaceable possession of the land each and every year until the present time and know the Taylors have used it more recently for their garden plot and part of their yard. I know of my own knowledge that no one has ever disputed the title or contested the possession of A. F. Blackerby during these years.

C. S. Kendrick
C. S. Kendrick

Sworn to and subscribed to before me on this
the 14th day of August, 1967.

W. H. L. Jones
Notary Public

STATE OF ALA. SHELLEY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
67 AUG 14 AM 11:24
U.C. FILE NUMBER CP
PAGE AS SHOWN ABOVE