

895-34

AFFIDAVIT

STATE OF ALABAMA)

SHELBY COUNTY)

Before me the undersigned authority in and for said County and said State, personally appeared Murphy Harrell, who being first duly sworn on oath says as follows:

That this Affidavit relates to the following described real estate situated in Shelby County, Alabama to wit:

A House and two acres (more or less) of land once known as the W. H. Hand estate land located and being a part of the N $\frac{1}{2}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 21, Township 20, Range 3 West in Shelby County, Alabama, also on the north side of an old road once known as the Montevallo and Elyton Road, better described as follows: Begin at the SE corner of said land, thence North $41\frac{1}{2}$ degrees; West 6.15 chains, thence north 52 degrees, east 2.09 chains, thence south 76 degrees, east 1.03 chains; thence south 71 degrees, east 5.12 chains, thence west 41 degrees, south 5.27 chains to point of beginning.

being the same property recently conveyed by Murphy Harrell and wife, Elizabeth Harrell to M. C. Crow.

Affiant further states that he acquired the above described property from Dewey A. Fulgham on the 12th day of October, 1943.

Affiant further states that he was living on the property at the time he acquired it as tenant and has continued to live on the property cultivating it, fenceing in part of it, and has grown a garden on a portion of it each and every year since he has been there.

Affiant further states that on the 5th day of June, 1948 he sold to Luther Brown a 50 X 100 foot lot out of the SE corner of the 2 acre tract of land more particularly described as follows:

Run North 100 feet; thence run West 50 feet; thence run South 100 feet; thence run East 50 feet to point of beginning, being in the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 21, Township 20, Range 3 West

and Luther Brown never did take possession of the property and shortly after he bought it his wife died and before he finished paying for it he asked affiant to take the property back, which he did.

Affiant further states that he did not know that the lot sold to Luther Brown had been sold to the State for taxes on the 10th day of April, 1961 since he had been regularly assessing and paying taxes on the entire tract all of the time and about the year 19__ said Luther Brown died and to the best of his knowledge and belief he and his wife had no children and therefore none could survive them.

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Affiant further states that he has held all of the property including that sold to Luther Brown openly, peacefully, adversely, against the lawful claims of all persons except the small tract of land conveyed to Luther Brown for a period of 2 or 3 months and that no one has ever questioned his title to the property.

Murphy Harrell
Murphy Harrell

Sworn to and subscribed before
me on this 9th day of Nov., 1967.

Grace M. Rice
NOTARY PUBLIC

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1968 JUN 30 PM 2:39
REC. BK. & PAGE AS SHOWN ABOVE
U.C.C. FILE NUMBER OR
Consent of *M. Harrell*
JUDGE OF PROBATE