

11445

STATE OF ALABAMA )  
SHELBY COUNTY )

Before me, the undersigned authority in and for said County and State, personally appeared JAMES M. PETERS, who, being known to me and being by me first duly sworn, deposes and says as follows:

That he has been familiar with the occupation, use, and possession of the following described property for more than fifty years:

Part of SE<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub>, Section 34, Township 21 South, Range 4 West, described as follows: Begin at NE corner and run West 420 feet; thence South 366 feet; thence East 420 feet; thence North 366 feet to point of beginning .

Starting at a point 420 feet West of the NE corner of SE<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of Section 34, Township 21 South, Range 4 West, running West 112 feet; thence South 270 feet; thence East 112 feet; thence North 270 feet to point of beginning.

Part of SE<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub>, Section 34, Township 21 South, Range 4 West, described as follows: Commencing at SE corner of said Quarter Quarter Section and run West along South line 362 feet; thence North parallel to East line a distance of 218 feet; thence West parallel to South line a distance of 34 feet to point of beginning; thence continue West 585 feet; thence North 836 feet; thence East 585 feet; thence South 836 feet to point of beginning.  
MINERALS AND MINING RIGHTS EXCEPTED.

That his true christian name is James Mason Peters and his father was named James Martin Peters. Affiant's father died approximately June 5, 1930 and left surviving him as his next of kin and sole surviving heirs at law, eight children, namely, G. Cleveland Peters, Leslie L. Peters, George M. Peters, Mary Peters Allen, Prince E. Peters, Fannie Peters Kelley, H. B. Peters, and myself, James M. Peters. That on, to-wit, the 27th day of June, 1930 all of the heirs at law of James M. Peters, deceased, and their wives or husbands, except H. B. Peters, executed a deed to me which deed is recorded in the Probate Office of Shelby County, Alabama in Deed Book 91, page 370; and further, on the 2nd day of December, 1930, H. B. Peters and wife, Kate Peters, conveyed to me their 1/8 interest, thus vesting in me the full title to the above described property. Further deposing, affiant says that he executed deeds to three parcels of land to Rufus F. Herron which deeds are recorded in said Probate Office in Deed Book 130, page 212; in Deed Book 137 page 386 and in Deed Book 162, page 134, respectively.

Further deposing, affiant says that this was the old Peters Home Place and that upon the execution and delivery of the deed to him from all of his brothers and sisters and their respective husbands and wives, that he took possession of

the said property as his father had before him and lived on said actually and occupied the same actually, adversely, openly, notoriously, and continuously, claiming to own the same. Upon the execution and delivery of the deeds from affiant to the said Rufus F. Herron as shown above, Mr. Herron took possession of said property and continued to occupy the same, actually, adversely, openly, notoriously, and continuously. Further deposing, affiant says that he is aware that at one time, Serge Lawley was named grantee in a deed purporting to convey to him five acres in the NW corner of SE<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub>, Section 34, Township 21, Range 4 West, and he further knows that said five acres was not in a square as indicated, but actually was in an oblong shape, being 270 feet North and South and running North to the boundary of said Quarter Quarter Section, and 788 feet East and West.

Further deposing, affiant says that he discussed the same with Mr. Lawley in his lifetime and after their conversation it was determined that the assessment should be changed to correctly describe the lands that Serge Lawley and affiant owned, and such change was made.

Further deposing, affiant says that the lines of demarcation between the property sold by affiant to Rufus F. Herron are well defined and he has never heard his title questioned in anyway, other than as set forth in this affidavit.

James Mason Peters

Sworn to and subscribed before me  
this 22nd day of August, 1968.

James Brasher  
Notary Public

STATE OF ALA. SHELBY CO.  
CERTIFY THIS  
INSTRUMENT WAS FILED  
1968 SEP -5 PM 3:03  
U.C.C. FILE NUMBER OR  
REC. BK. & PAGE AS SHOWN ABOVE  
Conrad M. Brasher  
JUDGE OF PROBATE