

STATE OF ALABAMA

257

SHELBY COUNTY

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

My name is Johnny Beverly. I am 72 years of age and have lived in Montevallo, Alabama, 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:

A lot in the town of Montevallo, Alabama, being in Fractional E $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 4, Township 24 North, Range 12 East, said lot being bounded on west by Montevallo-Selma road and on east by east line of Section 4, Township 24 North, Range 12 East and on north by lot formerly belonging to Henry Wells and on south by lot formerly belonging to Harriett Allen. The southeast corner of said lot is 190 feet north of a point where the east line of Fractional E $\frac{1}{2}$ of NE $\frac{1}{4}$ of said Section 4 crosses the north right of way line of the Southern Railroad; There is excepted herefrom a lot heretofore sold to Jimmie Fisher on June 28, 1946, as shown by deed recorded in Deed Book 125 page 105 in Probate Office of Shelby County, Alabama.

Affiant says the south line of said lot has been marked by a fence since 1903 when he first remembers the land and has been marked continuously by the fence row since that time; that the north line of said lot is marked by the south line of an 18' alley running east and west along same and the alley has been there since 1903. There is called to affiant's attention said lot described above has been described as being bordered on the north by a lot belonging to Henry Wells, but affiant says the 18' alley is between the Fancher lot and the Henry Wells' lot. Affiant further says the said J. L. Fancher purchased the above lot from W. A. Hooker and wife in June 1906 as shown by Deed Book 34 page 392 in said Probate Office, along with the Jimmy Fisher lot which has been excepted above. The said J. L. Fancher went into immediate possession of said land and there were two houses on the land and he rented the same out to tenants until one house burned and the other house has been torn down for many years. J. L. Fancher continued to own said lot and assess it until June 1946, when he sold a lot 100' x 36' to Jimmie Fisher and said Fisher lot is within the confines of the Fancher lot and is located in the middle of said Fancher lot and adjoins the Montevallo-Selma road. The said J. L. Fancher continued to own the remainder of the lot each and every year he sold the same to Sam Klotzman and Harry Klotzman in January, 1967. Affiant said Jimmie Fisher built a house on the lot which he purchased soon after he purchased the same and lived in the house until he sold it to the Colemans in 1958. The Colemans lived in the house and occupied it each and every year until 1966 when they sold the same to Harry and Sam Klotzman, who rented the same out to tenants each and every year until this very day.

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Throughout all the years I have known said land, I have never heard of anyone contesting the title or disputing the possession of Sam Klotzman and Harry Klotzman and their predecessors in title.

Johnny Feverley
Johnny Feverley

Sworn to and subscribed to before me on

this the 17 day of May, 1967.

Rex Henderson
Notary Public

State of Alabama
Shelby County

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

My name is Sam Klotzman. I am 58 years of age and have lived in Montevallo, Alabama, for the past 36 years and have all along been well acquainted with the land described in the foregoing affidavit. I have measured said lot and know the described contained in said affidavit is true and correct. I know that the lot purchased by Hampton D. Lee and Lixie E. Lee in 1941, as shown by Deed Book 110 page 592 is the lot lying north of said 18' alley which is also north of the above described lot which Harry Klotzman and I now own.

Sam Klotzman
Sam Klotzman

Sworn to and subscribed to before me on

this the 17 day of May, 1967.

Rex Henderson
Notary Public

SHIRLEY A. SHELBY CL.
CLERK OF THE DISTRICT COURT
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