

STATE OF ALABAMA

SHELBY COUNTY

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

My name is R. A. Brasher. I am 52 years of age and have lived in Calera all my life, except for three years I was in the service, and have all along been well acquainted with the following described land and the persons in possession of it. Said land being described as follows:

The East 20 acres of that part of the $W\frac{1}{2}$ of $NE\frac{1}{4}$ of Section 22 Township 22 South, Range 2 West, which lies South of the right of way of the Columbiana-Calera Highway as the said Highway was located in October 1946, EXCEPTING that part of above described property that lies SOUTH of the RELOCATION of Highway #25.

There has been called to affiant's attention, a deed from Mamie E. Comer to R. J. Comer dated February 18, 1946 and recorded in Deed Book 126, page 313 in the Probate Office of Shelby County, Alabama and affiant says that Mamie E. Comer was the wife of R. J. Comer, who is also known as Bob Comer, and that the land described in said deed represents 10 acres which lies across old highway 25 and North of the Mathis tract of land which is described in detail above, in this affidavit. I helped survey said 10 acres and know that it does not affect above described land.

There has been called to my attention, a deed made in 1932 from J. W. Burgess and wife, Eddie B. Burgess to Mattie Milford and recorded in deed book 93, page 296 in the Probate Office of Shelby County, Alabama. Affiant says he is not familiar with the exact location of said lot described in said deed, but he does know that all of Mattie Milford's land lies West of the Mathis land and that a fence divided the two and that he has never heard of any dispute between said parties regarding their land lines.

There has been called to affiant's attention, a deed from R. L. Merrell to Mary W. Merrell dated August 26, 1965 and recorded in Deed Book 255, page 908 in the Probate Office of Shelby County, Alabama, covering certain land in the $NW\frac{1}{4}$ of the $NE\frac{1}{4}$ and the $SW\frac{1}{4}$ of the $NE\frac{1}{4}$ of Section 22, Township 22, Range 2 West and it is pointed out to affiant

south line of land described in
that/said deed runs along the North boundary of the relocated Columbiana-Calera Highway in an Easterly direction to Charlie Collum. Affiant says that Charlie Collum owned the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, Township 22 Range 2 West before his death and that his widow and heirs still own the same except for a lot or two that have been sold off and except for the right of way of the relocated Highway 25. Affiant further says that there has been a fence between the East line of the Mathis land and the West line of the Collum land since as far back as he can remember, and affiant further says that there is a little house on the land hereinabove described in detail in this affidavit, being known as the Mathis land, which house is situated along the South line of the old Columbiana Highway and in the Northeasterly portion of the Mathis land, and that Mr. R. L. Merrell, prior to the time he conveyed the land to Mary W. Merrell, had the same fenced in and kept it fenced in and had cattle on it and rented the house out from time to time to tenants and since said land was conveyed to Mrs. Merrell, she has been an actual possessor of it and has kept it fenced in the same as Mr. R. L. Merrell had before her and has rented the house out to somebody for storage up to the present time. Affiant has never heard of anyone contesting the title or disputing the possession of Mary W. Merrell or R. L. Merrell or the persons through whom they claim.

R. A. Brasher
R. A. Brasher

Sworn to and subscribed to before
me on this 24th day of November, 1969.

D. J. New
Notary Public

my commission expires 6/15/70

STATE OF MISSISSIPPI
NOTARY PUBLIC
RECORDED
1969 NOV 23 AM 7:11
U.S. DEPT. OF JUSTICE
REC. BR. 2, PLACE DE CHANCE
Carter & McGowan
FEDERAL BUREAU OF INVESTIGATION