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STATE OF ALABAMA

SHELBY COUNTY

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

My name is Oscar Harris. I am familiar with the hereinafter described land and the persons in possession of it and have been for the past 30 years or more. Said land being described as follows:

All that part of the E $\frac{1}{2}$ of NE $\frac{1}{4}$, Section 15, Township 20 South, Range 3 West, lying north of Buck Creek, EXCEPT that portion owned by Mrs. Clara Powell lying along the easterly side of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 15; situated in Shelby County, Alabama.

I have had called to my attention a deed from William Houston and Emma Houston covering land dated April 3, 1883, to Frank Henderson/which is shown to be located in the E $\frac{1}{2}$ of NE $\frac{1}{4}$ of said Section 15 commencing at the right of way of the Railroad near the stock gap, etc as more particularly described in the deed recorded in Deed Book 37 page 562 in the Probate Office of Shelby County, Alabama.

Of course, these people were gone long before my day, but I have never heard of them or their successors in title making any claim to any of the above captioned land.

Affiant had called to his attention a deed from L. N. Roy and wife to C. T. Davidson dated June 6, 1922, recorded in Deed Book 73 page 48 in said Probate Office. Said deed described, among other lands a strip about 1/4 acre in the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 15. Affiant says from the description identifying certain natural boundaries, it is his judgment it should have been described in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 15.

There is called to affiant's attention a tax sale in the Pearlle M. Herd to State of Alabama dated September 25, 1933 for 1932 taxes which is recorded in Tax Sale Record 11, page 413. Affiant says he has never heard of Pearlle M. Herd making any claim and does not know of anyone in that area by that name; land that clearly, in his opinion, the/described was in error in the Tax Sale.

There has been called to affiant's attention a tax sale in the name Hattie McClellan dated June 8, 1936, recorded in Tax Sale Record 12 page 240 covering part of SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 15 described as commencing at a point on east side of Selma-Birmingham road where it intersects A.B. & C. RR. Affiant says said Selma-Birmingham Road crosses the A.B. & C. RR some 2 or 3 forties west of the above described land and to his knowledge said Tax Sale would have no effect on the above captioned land, and he has never heard of a Hattie McClellan or her successors and assigns making any claim to any of the above described captioned land.

There is called to affiant's attention a Tax Sale made in June 1949, for 1948 taxes in the name Mrs. Hattie Bailey to the State which was redeemed, covering two tracts of land. The same was bought in by Mrs. Nettie Wallace and she in turn sold to certain persons who sold to J. E. Bearden in February 1960, as shown by deed recorded in Deed Book 207 page 411 in said Probate Office. Affiant is not familiar with these specific transactions, but does know Mr. Bearden has been in the actual possession of the land as a tenant for C. T. Davidson and then individually for more than 25 years and the same has been under fence.

Affiant says he knew R. B. Davidson and his wife Ruth Davidson and knows that they had a son named Robert B. Davidson, Jr. Affiant knows that the person signing the deed to J. E. Bearden in June, 1952, was R. B. Davidson, Sr.

There is called to affiant's attention a deed from J. F. Hutchison and wife to Atlanta, Birmingham and Atlantic Railroad Company dated April 25, 1907, covering a strip of land lying along said railroad being in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 15. Affiant says it is his understanding said strip was used by said Railroad for what is known as a coaling station and there was a side track along the south line of the main line at said location.

Affiant is familiar with the lines of the lot described in deed from Lucy Lee Bell Cunningham, et al to J. E. Bearden dated July 16, 1959, and recorded in Deed Book 245 page 440 in said Probate Office. Affiant says that J. E. Bearden had this parcel fenced in and was using it along with the other land described above as a tenant of C. T. Davidson's heirs and since 1952 as the owner and he has used the same continuously as a part of his farm. Said deed dated July 16, 1959, showed the name "Emma Harris McAdoo" in the body, but she did not sign the deed. Affiant says she had died prior to the date of the deed and the persons signing the deed were her next of kin and sole and surviving heirs at law.

To my personal knowledge, I know that J. E. Bearden has been using all the above described land as a part of his farm as a tenant and then as the owner since 1952, for more than 25 years and I have never heard of anyone contesting his title or disputing his possession of said land.

Oscar Harris
Oscar Harris
JUDGE OF PROBATE

Sworn to and subscribed to before me on this
the 16th day of April, 1968.

Emma D. Higginbotham
Notary Public
My Commission Expires November 3, 1971

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1970 NOV 18 AM 8:55
REC. BK. 110
U. S. FILE NUMBER OR
PAGE AS SHOWN ABOVE

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PAGE 20
BOOK 207