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STATE OF ALABAMA

SHELBY COUNTY

Before me, a Notary Public in and for said County and State, personally appeared Hixie Timmons, who is known to me, and who being by me first duly sworn, deposes and says as follows:

My name is Hixie Timmons. I am 82 years of age and reside at Route 1, Wilsonville, Shelby County, Alabama.

I am the owner of the following described property consisting of 1 acre and 30 feet which is situated near Wilsonville in Shelby County, Alabama, to-wit:

Commence at the SW corner of Section 31, Township 20 South, Range 2 East and run North 89 deg. 00 min. East 420.4 feet to point of beginning; thence North 1 deg. 00 min. West 210 feet; thence North 89 deg. 00 min. East 240 feet; thence South 1 deg. 00 min. East 210 feet; thence South 89 deg. 00 min. West 240 feet to point of beginning. Being a part of the West Half of SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 31, and containing 1.16 acres,

I having purchased said property and received a warranty deed therefor from my brother, Lumas Ward, on December 5, 1960, as shown by warranty deed recorded in Deed Book 212 at page 612, Office of Judge of Probate of Shelby County, Alabama.

I immediately went into possession of said property in December, 1960, when I purchased the same and when I received said deed, and I had my home constructed on said property in 1961. I moved in said home on said property in 1961 and have resided therein continuously since 1961 and until the present date.

My said brother, Lumas Ward, who is now deceased, bought the 20 acre parcel including my said property, as described above, at a court sale in 1952. The said 20 acre parcel had previously been owned by E. L. M. Wallace, and said property was sold, after the death of said E. L. M. Wallace, by his heirs through Court.

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Shelby Cnty Judge of Probate, AL  
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My said brother, Lumas Ward, built his home on said 20 acre parcel in the early 1950's and before 1956, and he occupied all of said 20 acre parcel, including the lot which he sold to me as described above in this affidavit, as a part of his homestead (except for two or three lots which he sold off) until he sold me my said lot in 1960, as aforesaid. Said Lumas Ward resided in said house which he built before 1956 on said 20 acre parcel until the time of his death in 1967, his wife, Maggie Ward, having continued to live and reside in said house after the death of said Lumas Ward until her death which occurred in October, 1971. Said house burned at one time, but it was re-built, and the occupancy thereof was continuous, as aforesaid.

I do not know, nor have I ever heard of H. L. Smith or Roy M. Cooper, but I know that neither of said persons, and none of their heirs or devisees, have owned, claimed, occupied, or possessed the above described lot which I purchased from my brother in 1960 during the time that I have been familar with said property since 1952 when my said brother purchased the same and until the present date. No other person other than myself and my predecessor in title, namely, Lumas Ward, has owned, occupied, possessed, or claimed said property, or any part thereof, since 1952, and until the present date, my said brother, Lumas Ward, and I having been in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of said property continuously since 1952 and until the present date.

Hixie Timmons  
Hixie Timmons

Sworn to and subscribed before  
me this the 26<sup>th</sup> day of January, 1972.

[Signature]  
Notary Public



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Shelby Cnty Judge of Probate, AL  
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STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
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