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STATE OF ALABAMA

SHELBY COUNTY

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

My name is Janie Brasher. I am 53 years of age and reside at Route 2, Box 10, Wilsonville, Shelby County, Alabama.

I have read the above affidavit of Hixie Timmons pertaining to the following described real estate:

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,

and I know of my own knowledge that the statements alleged in said affidavit of Hixie Timmons are true and correct.

I am not related to either Hixie Timmons or Lumas Ward, and I have known the above described property, and have been familiar with the ownership and possession of said property, since 1945 when it was owned by the heirs of E. L. M. Wallace. I knew said E. L. M. Wallace in said lifetime, and I moved to the vicinity of said property in 1945 after the death of said E. L. M. Wallace and before the 20 acre parcel which includes the above described property was sold by the heirs or said E. L. M. Wallace through Court.

I remember when Lumas Ward bought said property at the court sale and when said Lumas Ward built his home on said property in 1956. Said Lumas Ward resided in said house until his death, and after his death, his widow, Maggie Ward, continued to reside therein until her death.



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Shelby Cnty Judge of Probate, AL  
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I also remember when Hixie Timmons bought the above described property and when she built her house thereon in 1961. Said Hixie Timmons has lived in said house on said property continuously since 1961 and until the present date.

Said Lumas Ward has sold off other lots from said 20 acre parcel when he purchased at said court sale, one of the lots having been sold to Rev. Cook before Hixie Timmons bought the above described property, as aforesaid. Rev. Cook built a house on the lot which he bought and lived in said house on said land for awhile, before he moved to Gadsden, and said Rev. Cook now rents said house to my mother and father, Tom and Elizabeth Waters.

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 Hixie Timmons purchased from Lumas Ward in 1960 since 1945 when I first became familiar with said property and until the present date. No other person than said Hixie Timmons and her predecessors in title, namely, Lumas Ward and the heirs of E. L. M. Wallace, has owned, occupied, possessed, or claimed said property, or any part thereof, since 1945, and until the present date, said Hixie Timmons and her brother, Lumas Ward, and the heirs of E. L. M. Wallace having been in the open, continuous, notorious, undisturbed, peaceable, exclusive, hostile, actual adverse possession of said property continuously since 1945 and until the present date.

Sworn to and subscribed before me  
this 3<sup>rd</sup> day of March, 1972.

  
Notary Public



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STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1972 MAR 10 AM 10:08  
U.C.C. FILE NUMBER CR  
REC. BK. & PAGE AS SHOWN ABOVE  
Conrad J. [Signature]  
JUDGE OF PROBATE