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STATE OF ALABAMA)

SHELBY COUNTY)

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Shelby Cnty Judge of Probate, AL
04/27/1972 01:33:00 PM FILED/CERT

AFFIDAVIT OF ADVERSE POSSESSION

Before me, the undersigned authority, a Notary Public in and for said County in said State, personally appeared RUBY COKER who, after being by me first duly sworn to speak the truth, deposes and says as follows:

My name is Ruby Coker and I am 75 years of age. I reside at Route 2, Box 47, Calera, Alabama. I have been closely familiar with the occupation, use and possession of the hereinafter described property for a period in excess of thirty (30) years, said property being situated in Shelby County, Alabama, and being more particularly described as follows, to-wit:

The $S\frac{1}{2}$ of $SW\frac{1}{4}$ of $SW\frac{1}{4}$ of Section 16 Township 22 South, Range 1 West.
The $S\frac{1}{2}$ of $SE\frac{1}{4}$ of $SE\frac{1}{4}$ of Section 17 Township 22 South, Range 1 West.
Fraction "A" being $NE\frac{1}{4}$ of $NE\frac{1}{4}$ of Section 20 Township 22 South, Range 1 West.
Fractions "C" and "D" being $N\frac{1}{2}$ of $NW\frac{1}{4}$ of Section 21 Township 22 South, Range 1 West.

I have lived within approximately one-quarter mile of the above described property for more than thirty (30) years and our farm adjoins the above described property. I remember when this property above described was conveyed to C. R. Goodwin in November of 1942 by Deed recorded in Deed Book 115, page 364, in the Probate Records of Shelby County, Alabama. When Mr. Goodwin purchased the property in 1942 a good portion of the property was already in fields and cultivation, but the land was not completely surrounded by fence. Immediately after C. R. Goodwin purchased the property in 1942, Michael Loyd, C. R. Goodwin's brother-in-law, moved onto the property and moved into the old residence which was located thereon as a tenant of C. R. Goodwin. C. R. Goodwin then in about 1942, with the assistance of Michael Loyd, constructed a barb wire fence around the entire boundaries of the above described property with the exception of a very small patch or plot on the South side. C. R. Goodwin added onto or improved another house which was located on the property and he and his family would come down on week-ends and vacations, but Michael Loyd continued to reside on the property for each and every year from about 1942 or 1943 up until the property was sold by C. R. Goodwin's son, Rudolph C. Goodwin, to the present owners, James A. Parker and Nell Hunter Parker in 1963.

C. R. Goodwin died intestate without leaving a Last Will and Testament while a resident of Shelby County more than twenty (20) years ago. The only child ever born to C. R. Goodwin was Rudolph C. Goodwin, and C. R. Goodwin's widow at the time of his death was Agnes Loyd Goodwin. After C. R. Goodwin died, Michael Loyd remained



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on the property, maintaining the fences and farming the entire property for each and every year up to 1963 when Rudolph C. Goodwin and his wife sold the property to James A. Parker and Nell Hunter Parker as aforesaid. During the entire period of time from 1942 up until 1963 Michael Loyd lived on the above described property, farming it for each and every year and maintaining the fences as tenant of C. R. Goodwin and Rudolph C. Goodwin. No other person, firm or corporation was in possession of said property, or any part thereof, during said period, with the exception of some of the pasture land which was rented from C. R. Goodwin and/or Rudolph C. Goodwin by Mr. Odell. There were never any disputes whatsoever concerning the ownership, use and possession of said property and everyone in the community recognized that the same was owned by C. R. Goodwin and, after his death, by Rudolph C. Goodwin.

In 1963, as mentioned above, the property was conveyed to James A. Parker and Nell Hunter Parker. Immediately thereafter in 1963 Mr. and Mrs. Parker did some remodeling on the house situated on the land and actually moved into the house in May of 1963. Mr. and Mrs. Parker resided continuously and exclusively on said property for each and every year from 1963 up until 1967 when they moved to Birmingham. The house burned in 1967. Mr. and Mrs. Parker then rebuilt on the property in 1970 when they moved back onto the property and have resided thereon continuously up until the present time. Immediately after Mr. and Mrs. Parker bought the property in 1963, they repaired the fences around the boundaries of the property and moved their cattle onto the same. During each and every year from 1963 up to and including the present time they have maintained a herd of cattle on said property and no other person, firm or corporation has been in possession of the above described property, or any part thereof, other than Mr. and Mrs. Parker since 1963.

I am familiar with the property conveyed to Henry S. Bristow, Sr. by Deed dated June 18, 1959, and recorded in Deed Book 205, page 8, in the Probate Records of Shelby County, Alabama, and know that the same does not overlap or conflict with the first above described property at any point. The L & N Railroad Company right-of-way referred to in said Deed does not come into the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 17 Township 22, Range 1 West. The railroad runs immediately North of that portion of the Parker land which is described as the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 17 Township 22, Range 1 West.



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I am also familiar with the location of the property conveyed to I. S. Odell by Deed dated July 14, 1956, and recorded in Deed Book 181, page 240, in the Probate Records of Shelby County, Alabama. This property does not overlap or conflict with the James A. Parker and Nell Hunter Parker property. It has been called to my attention that Karl C. Harrison and others executed a transmission line permit to Alabama Power Company on June 30, 1952, which is recorded in Deed Book 155, page 100, in the Probate Records of Shelby County, Alabama. By mistake the description in said transmission line permit was listed as the S¹/₂ of the SW¹/₄ of the SW¹/₄ of Section 16 Township 22 South, Range 1 West. The correct description would have been the N¹/₂ of the said ¹/₄-¹/₄ Section and neither Karl C. Harrison nor any of the Loveladys, or other grantors in said transmission line permit, have ever claimed any right to the Parker property described above.

Ruby Coker
Ruby Coker

Sworn to and subscribed before me
this 25th day of April 1972.

Lance Braswell
Notary Public

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
1972 APR 27 PM 1:33
U.C.C. FILE NUMBER OR
REC. BK. & PAGE AS SHOWN ABOVE
Clerk of Probate
JUDGE OF PROBATE

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