

5-9 15-

AFFIDAVIT OF ADVERSE POSSESSION

STATE OF ALABAMA )  
 )  
SHELBY COUNTY )

Before me, the undersigned authority in and for said County and State personally appeared William J. Stephens who is known to me and who being first by me duly sworn, deposes and says as follows:

That my name is William J. Stephens, and I reside in Chilton County, Alabama, in the Town of Jemison, and I am over the age of 50 years. I have lived continuously here since the year 1950 to the date of this affidavit. That he became personally acquainted with the property in question in the year 1930. Said property in question being described as follows:

The West half of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$ ; the West half of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  and five acres in the SW corner of the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , all in Section 13, Township 22, Range 3 West.

The affiant further states that when he first became acquainted with the above described property, Charlie and Sarah Bailey were living on said property. It is of affiants' own personal knowledge that in the early part of the year 1966, Morris M. Bailey and wife came into the possession of the above described property by virtue of the Last Will and Testament of Charlie M. Bailey, who died in the early part of 1966 and who had title to the land by virtue of the Last Will and Testament of his wife, Myrtle D. Bailey, who died two months prior to Charlie D. Bailey.

It is further of affiant's own personal knowledge that Morris M. Bailey and wife have been in actual, notorious, open, adverse, peaceful and exclusive possession of this land claiming to own the same since the year 1966. Affiant further states that in 1966, Morris M. Bailey and wife cut and sold the timber off of the above described property and made repairs on the dwelling house which is situated on the property and have cared for, maintained and paid the taxes on said property, continuously, actually, openly, notoriously and peaceably since the year 1966.

The affiant further states that he has been on this land in excess of the entire time Morris M. Bailey and wife have been in possession, which commenced in the year 1966; and during all that time, he has never known or heard of anyone

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the ownership of Morris M. Bailey and wife, or his heirs at law being Charlie D. Bailey and Sarah D. Bailey. Also, during said time, affiant has never heard or known of any other person laying claim to the above described property.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 22 day of February, 1977.

*William J. Stephens*  
\_\_\_\_\_  
William J. Stephens

STATE OF ALABAMA

SHELBY COUNTY

Sworn to and subscribed to before me, this 22 day of February, 1977.

*Bonita Y. Davidson*  
\_\_\_\_\_  
Notary Public

1977 FEB 24 AM 11:07

*James H. Davidson*  
JUDGE OF PROBATE

Rec. 3<sup>00</sup>  
Fu 1<sup>00</sup>



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Shelby Cnty Judge of Probate, AL  
02/24/1977 12:00:00 AM FILED/CERT