

✓ This instrument prepared by  
 Wade H. Morton, Jr., Attorney at Law  
 P O Box 1227, Columbiana, Alabama 35051

STATE OF ALABAMA )

AFFIDAVIT

SHELBY COUNTY )



19770908000093890 1/3 \$.00  
 Shelby Cnty Judge of Probate, AL  
 09/08/1977 12:00:00 AM FILED/CERT

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

My name is O. C. Cox. I am 74 years of age and a resident of Maylene, Shelby County, Alabama. I am and have been since 1947 very familiar with the use, occupation, possession and ownership of the following described real estate located in Shelby County, Alabama, to-wit:

Lot #12 according to R. E. Whaley's Map of Maylene, Shelby County, Alabama, dated May 24, 1947 and recorded in Map Book 3, at Page 75, in the Office of the Probate Judge of Shelby County, Alabama.

This is a residential lot fronting on Whaley Avenue and is located in the heart of the Maylene community of Shelby County. I have known this land since 1934 when I began living in the nearby Brantleyville community of Shelby County. In 1947 I moved from Brantleyville to Maylene and began living in the house on Lot #23, according to the R. E. Whaley Map of Maylene, Shelby County, Alabama, dated May 24, 1947, which I own and live on at the present time. Part of the back lot line of my Lot #23 adjoins part of the back lot line of the above described Lot #12. Between 1947 and the present time I also lived on and ran a store located on Lot #21/ of said subdivision, which I also own at the present time. When I moved to Maylene in 1947 there was a two room house on the above described Lot #12 and the owner was renting it for residential purposes. Beginning in the 60's Harold and Sally Collum became the owners of the above described Lot #12 and in the latter 60's they arranged with Jim Walter for a new residential dwelling to be constructed on the lot in front of the existing two room house. From 1971 up to the present time Edith B. Sullivan has owned and been in possession of the above described Lot #12.

I do not know of there ever being any question about the ownership or possession of the above described Lot #12 or any disputes.



concerning the title, If there is any title problem based on the record title it never did exist as far as possession of the lot was concerned. Any possible dispute concerning the record title must arise from the fact that there are <sup>two</sup>/R. E. Whaley subdivisions in Maylene. The first subdivision, of which the above described Lot #12 is a part, is known as R. E. Whaley's Map of the Town of Maylene, Shelby County, Alabama, dated May 24, 1947 and recorded in Map Book 3, at Page 75, in the Office of the Judge of Probate of Shelby County, Alabama. The second subdivision, which also contains a Lot #12, is known as First Addition to the R. E. Whaley Subdivision of the Town of Maylene, Alabama, dated April 30, 1953, and recorded in Map Book 3, at Page 120, in said Probate Records. The second subdivision is located in what is known as new Maylene, whereas the first subdivision is located in what is known as old Maylene.

I know of my own personal knowledge that from 1947 until the present time Edith B. Sullivan and her predecessors in title have been in continuous, exclusive, adverse, notorious and hostile possession of the above described Lot #12 and that no other person, firm or corporation has been in possession thereof. Further, that the title to the above described Lot #12 has never been questioned or disputed in any way. I further know of my own personal knowledge that R. M. Hand does not claim any right, title or interest in the above described Lot #12, rather he has an interest in and is in possession of Lot #12 of the second R. E. Whaley subdivision in Maylene, as aforesaid.

O. C. Cox  
O. C. Cox

Sworn to and subscribed before me this 7<sup>th</sup> day of September, 1977.

Lathleen Johnson  
Notary Public

STATE OF ALABAMA     )  
SHELBY COUNTY         )

AFFIDAVIT

Before me the undersigned authority, in and for the said County

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and State, personally appeared the undersigned Affiant who, after being by me first duly sworn to speak the truth, deposes and says as follows:

My name is R. M. Hand. I am 79 years of age and a resident of the Maylene Community of Shelby County, Alabama, and have been for all my life. I am and have been for all my life very familiar with the use, occupation, possession and ownership of the land described in the above and foregoing Affidavit made by O. C. Cox.

I have read the above and foregoing Affidavit made by O. C. Cox and know of my own personal knowledge that the facts stated therein are true and correct and I hereby attest to correctness of said Affidavit and adopt the same as my own Affidavit concerning the ownership, use and possession of the above described Lct #12.

R M Hand  
R. M. Hand

Sworn to and subscribed before me on this 7<sup>th</sup> day of September, 1977.

Kathleen Johnson  
Notary Public

19770908000093890 3/3 \$.00  
Shelby Cnty Judge of Probate, AL  
09/08/1977 12:00:00 AM FILED/CERT

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1977 SEP -8 AM 8:48  
Thomas A. Snowdon, Jr.  
JUDGE OF PROBATE

Rec 4.50  
Ind 1.00  
\$ 5.50