

## AFFIDAVIT OF ADVERSE POSSESSION

STATE OF ALABAMA )  
 )  
 SHELBY COUNTY )

19780316000033340 1/2 \$.00  
 Shelby Cnty Judge of Probate, AL  
 03/16/1978 12:00:00 AM FILED/CERT

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

That he is over 65 years of age and has lived in the City of Harpersville, Shelby County, Alabama, continuously since the year 1906 to the date of this Affidavit. That he became personally acquainted with C. R. Carter in the year 1919.

BOOK 24 PAGE 416  
 The Affiant further states that when he was living in the City of Harpersville in the year 1919, C. R. Carter was living on a farm described as The NE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 27, Township 19, Range 2 East, Except approximately 2 acres of land as conveyed by those certain deeds recorded in the Probate Office of Shelby County, Alabama, in Deed Book 165, page 175 and in Deed Book 166, page 525. That C. R. Carter was in the actual, notorious, open, adverse, peaceful and exclusive possession of this farm claiming to own the same in the year 1919. He used this farm as a homestead, farmed and cultivated the land and that he was in the continuous, actual, open, notorious and peaceful possession of said farm from the year 1919 to the time which he sold the property to Charlie Gour, Jr. Charlie Gour, Jr., was to have paid C. R. Carter the purchase price over a period of time, however, Charlie Gour, Jr. moved from the area and his brother, Jesse Gour in fact took possession of the property. He used this farm as a homestead, farmed and cultivated the land and he was in the continuous, actual, open, notorious and peaceful possession of said farm from the year 1930.

At approximately the same time, or sometime soon thereafter, Jesse Gour and his family began to spell their name as "GOWERS". Jesse Gowers was married to Annie Gowers. After his death, she continued to occupy said farm using it as her home, cultivating the land and paying taxes thereon until the year 1973, when she departed this life. The property was passed through the family to the present owners, Rocky Gowers and Judy Gowers Johnson, grandchildren of Annie and Jesse

Michael J. Gowers



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Gowers. Rocky Gowers and Judy Gowers Johnson have had actual, open, peaceful, notorious, adverse and exclusive possession claiming to own the same from the year 1973 until the date of this Affidavit.

The Affiant further states that he had known this farm for 65 years and during all the time that he has known said farm has never known or heard of anyone disputing the ownership of Jesse (Gour) Gowers and Annie Gowers or their heirs-at-law or anyone making any claim to any part thereof.

In Witness Whereof, I have hereunto set my hand and seal on this the 13th day of March, 1978.

D. E. Morris  
D. E. Morris

Sworn to and subscribed before me, this 13 day of March, 1978.

Linda G. Stone  
Notary Public

This affidavit can be filed for record under Title 47, Section 116, 1940 Code of Alabama, as amended, and when so filed can be offered in evidence.

STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
1978 MAR 16 AM 9 39  
Rec 300  
Ind. 100  
400  
Thomas G. Snowman, Jr.  
JUDGE OF PROBATE