

STATE OF ALABAMA)
SHELBY COUNTY)

3121
REAL ESTATE AFFIDAVIT

Before me the undersigned authority, in and for 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 Jimmy J. Falkner, and I am 49 years of age and a resident of Shelby County, Alabama. I have resided on my homeplace located between Shelby County Highway #97 and the Southern Railroad right-of-way in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 32, Township 21 South, Range 1 West for upwards of the last twenty (20) years. My homeplace lies West of said Highway and East of said Railroad and South of the point where the public gravel road crosses said Railroad from West to East and intersects Shelby County Highway #97. Accordingly, my homeplace is on the opposite side of said Railroad from the property purchased by Tommie J. Barnes a/k/a Tom Barnes and Sharon B. Barnes from O. B. Culpepper, and wife, and Charles Ray Payne, and wife, in the mid 70's and also the property purchased by the said Tom and Sharon Barnes from Marvin Horton and others in the late 70's. I know of my own personal knowledge that the property purchased by Tom and Sharon Barnes was the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of said Section 32 lying West of the Southern Railroad, and after deeds they have since made is now correctly described as follows:

All that part of the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 32, Township 21 South, Range 1 West, Shelby County, Alabama, that lies North-west of Southern Railroad right-of-way, EXCEPT tract sold to John E. Folmar as described in Deed Book 322, at Page 431; EXCEPT tract sold to H. O. Rich and wife, Gayle Rich as described in Deed Book 332, at Page 100; and EXCEPT tract sold to Robert Steading and Eleanor Steading as described in Deed Book 332, at Page 275, in the Probate Office of Shelby County, Alabama.

I also know of my own personal knowledge that all of the above described property has been in possession of Tom and Sharon Barnes from the time they first acquired it on up to the present time. I also know of my own personal knowledge that the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of this Section 32 lying West of the Southern Railroad right-of-way was, for a period of time upwards of twenty (20) years prior to the time it was conveyed to Tom and Sharon Barnes, in possession of those persons who owned it by deed prior to the time it was deeded to Tom and Sharon Barnes, that is, in possession of their predeceassors in title.

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I know of my own personal knowledge that no part of the above described real property has ever been in possession of Lester Ernest Keith or wife, Martha Keith, or in possession of Hershel H. Tanner, or wife, Emily Tanner, or in possession of Charles Earle Pope or wife, Valerie Pope. Nor have any of these persons ever to my knowledge made any claim to any part of the above described real property. The only property in the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of said Section 32 ever possessed by any of the above named individuals is that real property lying to the East of my homeplace and to the East of Shelby County Highway #97.

Jimmy J. Falkner

 Jimmy J. Falkner

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Sworn and subscribed before me this 28 day of October, 1985.

Sam Beard

 Notary Public

My Commission Expires March 13, 1988

STATE OF ALA. SHELBY CO.
 I CERTIFY THIS
 INSTRUMENT WAS FILED

1985 OCT 31 AM 9:19

Thomas A. Swanson, Jr.
 JUDGE OF PROBATE

RECORDING FEES
 Recording Fee \$ 5.00
 Index Fee 1.00
 TOTAL \$ 6.00

