

AFFIDAVIT OF ADVERSE POSSESSION

STATE OF ALABAMA  
SHELBY COUNTY

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

That she is over the age of 19 years and has lived in the City of Calera, Shelby County, Alabama, continuously since the year 1944 to the date of this affidavit. That she and her husband, Sam Baker, obtained title to the following described property more than 20 years ago.

Affiant further states that Mr. Rufus Smith lived on subject property and has a house on the same, and died a few years later. That she and Mr. Sam Baker had a garden on subject property every year for more than 20 years up to the present time. After the death of Sam Baker, who died on December 14, 1974, intestate, his family kept the property and has maintained a garden every year up to the present date. That the said Sam Baker and Homie Lee Baker were in the continuous, actual, open, notorious and peaceful possession of said land from the year 1944 to the year of his death, and that she has continued in possession until the present time. During the lifetime of said Sam Baker and up to the present, the said Sam Baker and Homie Lee Baker paid taxes on said property.

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Subject property is described as follows:

A parcel of land situated in the NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 2, Township 24 North, Range 13 East, Shelby County, Alabama, and more particularly described as follows; Begin at the Northeast corner of said  $\frac{1}{4}$ - $\frac{1}{4}$ ; thence South along the East line thereof, a distance of 145 feet; thence 95 degrees 44 minutes right a distance of 207.5 feet; thence 84 degrees 16 minutes right 145 feet to the South line at a paved drive; thence 95 degrees 44 minutes right a distance of 207.5 feet to the point of beginning. Situated in Shelby County, Alabama.

*Ann... [Signature]*



Two affidavits were previously executed regarding this land. They are recorded in Real Book 2, page 890, and Real Book 2, page 892, in the Probate Office of Shelby County, Alabama. They refer to this land but state that it is in Township 22 North, but it is actually in Township 24 North.

The Affiant further states that during all the time that she has known said land she has never known or heard of anyone disputing the ownership of Sam Baker or herself or anyone making any claim to any part thereof.

In Witness Whereof, I have hereunto set my hand and seal this the 8<sup>th</sup> day of December, 1988.

Homer Lee Baker

Affiant

Sworn to and subscribed before me on this the 8<sup>th</sup> day of December, 1988.

Kelly Goolsby  
Notary Public

STATE OF ALABAMA  
I CERTIFY THIS  
INSTRUMENT WAS FILED

88 DEC 13 PM 2:55

Thomas A. Inoué, Jr.  
JUDGE OF PROBATE

RECORDING FEES

Recording Fee	\$ <u>5.00</u>
Index Fee	<u>1.00</u>
TOTAL	<u>6.00</u>