

File No. 61701

071

AFFIDAVIT OF ADVERSE POSSESSION

STATE OF ALABAMA  
SHELBY COUNTY

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

That he is 77 years of age, and has lived in Sh. Calera, County of Shelby, Alabama, continuously since the year 1940 to the date of this Affidavit; and that he is Cousin of HORACE BUSBY.

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That the said Horace Busby was in the actual, notorious, open, adverse, peaceful and exclusive possession of the property described on the attached Exhibit "A", claiming to own the same since the year 1938. He used this property as his home-  
stead, and he assessed and paid taxes on said property, and maintained said property as his residence.

He tore the house down in the mid-1960's. After that time and up until his death in the year 1969, he kept the grass and weeds cut and cleared trash and debris from the vacant lot at regular intervals. He continued to assess and pay taxes on the property.

After the death of Horace Busby in the year 1969, Bobbie Lee Busby, his widow, continued to maintain and clear the vacant lot and continued to assess and pay taxes on it. Upon the death of Bobbie Lee Busby in the year 1970, the children of Horace Busby and Bobbie Lee Busby, namely, Lottie B. Wright, Carolyn B. Moore, Willodean Stevens, and Sims B. Busby, continued to maintain and clear the vacant lot and continued to assess and pay taxes on it.

The affiant further states that he has known this property for 50 years; and during all that time, he has never heard of anyone disputing the ownership of Horace Busby, and Bobbie Lee Busby, 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 22 day of May, 1990.

Donald J. Bushey

SWORN TO AND SUBSCRIBED TO BEFORE  
ME ON THIS THE 22 day of May, 1990.

Mildred S. Cantrell  
Notary Public

10-23-90

EXHIBIT "A"

The East 90 feet of Lots 1, 2, 3, and 4 in Block 31, according to J.H. Dunstan's Map of the Town of Calera, Alabama, the same fronting 90 feet on the North side of 10th Avenue, and running back along the west line of 13th street 100 feet; being situated in Shelby County, Alabama.

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STATE OF ALA. SHELBY CO.  
I CERTIFY THIS  
INSTRUMENT WAS FILED  
91 JAN 16 AM 10:17

*Thomas H. Jones, Jr.*  
JUDGE OF PROBATE

1. Deed Tax	\$	
2. Mtg. Tax	\$	
3. Recording Fee	\$	7.50
4. Indexing Fee	\$	5.40
5. No Tax Fee	\$	
6. Certified Fee	\$	1.10
Total	\$	14.00