AFFIDAVIT

STATE OF ALABAMA'
SHELBY COUNTY

Before me, L. H. Ellis, a Notary Public in and for said county in said state, personally appeared John W. Holmes, who is known to me, and who being by me first duly sworn, deposes and says, on oath, as follows:

"I am personally acquainted with the following described real estate situated in Shelby County, Alabama;

E $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 8 and the NW $\frac{1}{2}$ of NW $\frac{1}{2}$ of Section 8 except $1\frac{1}{2}$ acres sold by Fannie E. Holmes and husband to J. A. Holmes et al as trustees for Williams Cemetery, and described as follows:

Commencing at the NW corner of said Sec. 8, thence north 86½ deg. E. along the north boundary of said section 917 feet to the eastern boundary line of the Montgomery and Kymulga road, thence south 40 deg. west along said road to the NW corner of the following described lot, from thence as a point of beginning run south 50 deg. east 166 feet, thence east 122 feet, thence south 156 feet, thence west 122 feet, thence north 50 deg. west 266 feet to the eastern boundary of said road, thence north 40 deg. east along said road to the point of beginning.

Also except 2 acres heretofore sold and deeded by Fannie E. Holmes to L. H. Horton, and except a portion of said forty lying west of the Montgomery road heretofore sold and deeded by Fannie E. Holmes to G. F. McGibony.

Also the SW of Section 5 lying west or the Montgomery and Kymulga road.

Also all that part of the Sp of SW of Section 5 lying east of said road,
beginning where said road crosses the line between said sections 5 and 8 and running
north east along said road to the E.B.S. Wood line, thence south east 12 chains, thence
south 6 chains to said section line between sections 5 and 8, thence west along said
line to the point of beginning, and all situated in township 22, range 1 east,
Shelby County, Alabama.

I am thirty three years old and lived on said land from my earliest recollection; my mother, Fannie E. Holmes, who is the same as Fannie E. Williams, named in the foregoing abstract, was in possession of said land, claiming to own the same as her own;

My mother, Fannie E. Holmes, by her first marriage, was the wife of John Hartford Williams, sometime referred to in said abstract as John H. Williams. and sometimes as Hartford Williams; that said John H. Williams died about the year 1883 and my mother, about the year 1885, married my father, James A. Holmes and my father, James A. Holmes, dued about the year 1911, and left surviving him as his sole heirs at law and next of kin, his widow, the said Fannie E. Holmes, and two children viz: Frank L. Holmes and John W. Holmes, affiant, both of whom are now over twenty one years of age; that said Fannie E. Holmes died about the year 1919, and left surviving her, as her sole heirs at law, and next of kin, the affiant, John W. Holmes, and Frank L. Holmes; that said Fannie E. Holmes, as aforesaid was in actual, open, notorious, continuous, exclusive and adverse possession of said land for more than than thirty years prior to her death, claiming to own it against the whole world; that she derived title to said land by bona fide purchase thereof from the estate of Isaac Williams, and the estate of Henry T. Williams and from the respective heirs at law and next of kin of said estate, dating back to the year about 1885, and also through claim of inheritance from her former husband, John Hartford Williams, and adverse claims of title to said land made by her and filed and recorded in the Probate Office of Shelby County, Alabama, on the 8th day of August, 1902 which said claim is recorded in adverse possession record of said bhelby County, Alabama, at page 4 thereof; that the respondents named in the bill of complaint filed by affiant, John W. Holmes, and Frank L. Holmes in the Circuit Court of Shelby County, Alabama, In Equity, on the 22nd day of September, 1922, and the amendment thereto, filed Dec. 21st. 1922, seeking to quiet title to said land in them, constitute and are the sole heirs at law and next of kin of said Isaac Williams, said Henry T. Williams, said John Hartford Williams and others, as set forth in said Bill of Complaint, and said Bill of Complaint, as amended, and as against all of whom title in complainants to said land by a decree rendered in said cause on Dec. 5th, 1923, was quieted and title decreed to be vested in the complainants in said cause; that for the last twenty five or thirty years no one has advanced any claim against or to said land except the said rannie E. Holmes, except rumored claims on the part of said Williams heirs, against whom, as aforesaid, title has been quieted, except Ollie Scott, Charles Barnes and Tinnie Wolf, who by agreement in said chancery suit to quiet title were each awarded the sum of \$100.00 out of the purchase price of said land sold under the terms of the final decree in said cause, and which sum has been paid to them respectively; that affiant and said Frank L. Holmes are now in peaceable possession of said land, claiming to own the same and no one is asserting or claiming any title to same hostile to them.

John W. Holmes

Sworn and subscribed to before me this the 19th day of May, 1924.

L. H. Ellis--Notary Public

THE STATE OF ALABAMA)
SHELBY COUNTY)

I, L. B. Riddle Judge of -robate hereby certify that the within affidavit was filed in this office for record May 21st. 1924 at 9 oclock A.M. and recorded in Deed record 77 pages 118-119 and examined.

L. B. kidale--Judge of Probate