## AFFIDAVIT

STATE OF ALABAMA )
SHELBY COUNTY )

Before me, L. H. Ellis, a Notary Public in and for said County in said State, personally appeared E. G.Givhan, who is known to me, and who being by me first duly sworn, deposes and says on oath, that he is acquainted with the following described lot or parcel of land lying in the Town of Wilton, Shelby County, Alabama, and which is more particularly described as follows:

Beginning at a point on the southerly side of the MonTevallo-Wilton public road 270 feet northeast of the northwest corner of the lot known as the "W. S. Thompson Home lot", running thence in a southwesterly direction along the margin of said public road/270 feet to the northwest corner of said Thompson loty thence in a southeasterly direction along the line of said Thompson lot 360 feet, thence in a northwesterly direction to the point of beginning, and which said lot or parcel of landis now owned by H. A. Dew, and being the lot upon which he has resided for some time past.

Further deposing affiant says that he has known said land for more than thirty years and is the E. G. Givhan named as grantee in the deed from S. J. Kendrick dated March the 15th 1913, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 49 at p page 601, and is the one and same person as the E. G. Givhan named as grantor in deed of date July the 10th 1914, and which is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 56 at page 113.

Further deposing affiant says that he bought this land from said S. J. Kendrick as shown by deed to him, and which is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 49 at page 601, and that he later sold and deeded it to E. H. Guthrie on the 10th day of July 1914, and said deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 56 at page 113.

Further deposing affiant says that during the year 1914, prior to the date of the execution of his said deed to Guthrie, he erected a house on this tract of land and the same was fenced up, and since that time, he and his successors in title have been in the open, notorious, continuous, exclusive, actual, adverse possession of said land down to the present time, and during that time no other person, firm or corporation than affiant, and his successors in title, have advanced any claim to said land or any interest there in antagonistic to affiant and his successors in title.

Further deposing affiant says that he has known said land for more than thirty days, as aforesaid, and during that period neither the Alabama Iron & Steel Company, the Central Trust Company, The Southern Mineral Land Company, or any of the grantors named in the deed of Peter and others to Southern Mineral Land Company of date April the 21st. 1899, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 22, atpage 130, or any of the grantors named in the deed dated Maythe 1st. 1899, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 22, at page 102, have been in possession of said land nor have they advanced any claim of ownership thereto, but for, and during said period affiant and his predecessors and successors in title have been in the open, notorious continuous, exclusive, actual, adverse possession of said land down to the present time, and during that time no person, firm or corporation has advanced any claim to said land or any interest therein antagonistic to afriant and his predecessors and successors in title.

Further deposing affiant says that none of thegrantors in the deed of Hooper and others to J. S. O'Gwinn and J. M. O'Gwinn of date September the 22nd 1906 and which deed

is recorded in the Probate Office of Shelby ounty, Alabama, in Deed Book 36, at page 519, lived on said land as a homestead at or any time prior to the date of the execution of said deed and the same was not the homestead of any of them. Further deposing affiant says that none of the grantors in the deed of Hooper and others to S. J. Kendrick, dated September the 5th 1910, and recorded in the Probate Office of Shelby Ounty, Alabama, in Deed Book 44 at page 600, resided on said land as a homestead at or any time prior to the date of the execution of said deed and have never occupied the same as homestead.

Further deposing affiant says that he executed E. H. Guthrie a deed dated July the 10th 1914, and which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 56 at page 113, and in which was conveyed the land hereinbefore described, and in order to secure the purchase price of said land, said Guthrie executed affiant a mortgage dated September the 26th 1914, and which is recorded in the Probate Office of Shelby County, Alabama, in Mortgage Book 105 at page 478, and that thereafter said Guthrie was unable to pay said mortgage and abandoned said place as a homestead and moved to Selma, and thereafter on the 25th day of October, 1916, said Guthrie executed to affiant a warranty deed conveying said land, and which said deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 59 at page 413, and said deed was executed by said Guthrie in lieu of a foreclosure of said mortgage.

· Further deposing affiant says that said Guthrie's wife who signed said deed and whose name was Anna Cross Guthrie died subsequent to the execution of said deed and has now been dead several years.

E. G.Givhan

Sworn and subscribed to before me this the 7th day of May 1926.

L. H. Ellis--Notary Public
THE STATE OF ALABAMA )

SHELBY COUNTY

I, L. B.Riddle Judge of Frobate hereby cetify that the within affidavit was filed in this office for record May 10th 1926 at 2 oclock P.M. and recorded in Deed record 80 page 370 and examined.

L. B. iddle--Judge of Probate