AFFIDAVIT

STATE OF ALABAMA)
SHELBY COUNTY)

Before me L. H, Ellis, a Notary Public in and for said County in said State personally appeared G. W. Merrell, sometimes called Governor Merrell, who is known to me, and who, being by me first duly sworn, deposes and says on oath, that he is acquainted with the NE¹/₄ of the NE¹/₄, Section 27, Township 21, Range 1 east Shelby County, Alabama, and has known the same for forty years or more.

Further deposing affiant says that he is the grantee named in the deed of J. R. Browning and others of date November the 21st, 1890, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 14, at page 266. Further deposing affiant says that he went into possession of said forty acre tract of land on the date of the execution of the above mentioned deed, and remained in the actual, open, notorious, continuous, exclusive, adverse possession of all ofsaid land north of Beeswax Creek except that portion thereof conveyed by him to Alabama Power Company, by deed dated March the 13th, 1913, and which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 52 at page 91, and except also ten acres thereof sold by him to R.E. Moore by deed dated March the 19th 1913, and which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 51, at page 541, down to the time he sold and deeded the same to Paul S. Smith by deed dated July the 26th 1924, and whichis recorded in the Probate Office of Shelby County, Alabama, in Deed Book 75 at page 468, and which last named deed is corrected as to description by deed this day executed by affiant.

Further deposing affiant says that he is acquainted with the S¹/₂ of SE¹/₄ of Section 22, Township 21, Range 1 east, Shelby County, Alabama, and has known the same for forty years or more; that he is the grantee in the aforementioned described deed executed by J. R. Browning and others on November the 21st. 1890, and that immediately on the execution of said deed affiant went into possession of said land in dadd deed conveyed and lying in said section 22, and remained in the actual, open, notorious, continuous, exclusive, adverse possession of same until he conveyed it to Paul S. Smith by said deed dated July, the 26th 1924.

Further demsing affiant says that H. M. Willis, who executed amortgage purporting to convey the SE4 of the SE4 of said Section 22, on December the 13th 1913, did not then own said forty acres of land, had never owned it, had never been in possession of it, and had no claim against it whatsoever; that said Willis did own the SW4 of NW4 of said Section 22, and evidently in making the mortgage above referred to, he made a mistake as to the land he actually owned.

G. W.Merrell

Sworn and subscribed to before me this the 7th day of May, 1927.

L. H. Ellis--Notary Public

THE STATE OF ALABAMA)

I, L. B.Riddle Judge of Probate hereby certify that the within a fridavit was filed in this office for record May 9th 1927 at 20 oclock A.M. and recorded in Deed record 81 page 529 and examined.

L. B.Riddle--Judge of Probate