AFFIDAVIT

STATE OF ALABAMA SHELBY COUNTY

Before me K. B. Nickerson, a Natary Public in and for said County in said State personally appeared D. C. Nickerson who is known to me and who being first by me duly sworn, deposes and says that he has lived in said county for the last 37 years, and that he knows that tract of land described as the south half of the SWA and the SWA of the SEA of Section 20, Range 3 west in Shelby County Alabama, and has been familiar with said property for the past 20 years or more, and that the one acre of land excepted from the deed from Andrew Walker and wife to John McClellan, dated August 2, 1854 conveying the west half of the SE4 of Section 35, Township 20, Range 3 west excepting one acre on which Bethlehem Church stood at that time; and he avers that said one acre of land is not in the $SW\frac{1}{4}$ of the $SE\frac{1}{4}$ of said Section 35, Township 20, Range 3 west. And affiant further says that he was acquainted with Mary B. Wagner who secured title to this property and other property by deed dated November 27, 1877; that said Mary B. Wagner died intestate and that her heirs were as follows: Chas. G. Wagner her husband, and sons Thomas R. Wagner, Effingham Wagner and that she left no other heirs. Affiant further says that he is acquainted with Annie Lee O'Neal, who gave a quit claim deed to Lillie C. Wagner, covering the south half of section 35, Township 20, Range 3 west, dated April 30, 1901 1901; and that said A nie Lee O'Neal is the A. L. O'Neal who purchased the above described property at a tax sale together with Effingham Wagner on July 17, 1899, which tax sale is in tax sale record 2 at page 24. Affiant further says that said property for over twenty years has been owned and occupied exclusively, adversely and openly by Emma J? Enslen, her grantors, grantees and by her successors, Samuel W. Catts and his successors, J. E. Walker and said J. E. Walker gave a deed dated November 5, 1926, to J. E. Walters; and that during all of that time no other parties had claimed any interest in or to said land.

Sworn to and subscribed before me this 27 day of November, 1926.

K. B. Nickerson--Notary Public

THE STATE OF ALABAMA

SHELBY COUNTY

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I. L. B.Riddle Judge of Probate hereby certify that the within affildavit was filed in this office for record Oct. 26th 1927 at 2 oclock P.M. and recorded in Deed record 85 page 53 and examined.

L.B.Riddle--Judge of Probate

D. C. Nickerson