AFFIDAVIT

STATE OF ALABAMA)
SHELBY COUNTY)

Before me K. B. Nickerson a Notary Public in and for said County in said State, personally appeared D. C. Nickerson who being duly sworn deposes and says that affiant has known the south half of southwest quarter and southwest quarter of northeast quarter of Section 11, township 20, Range 3 west situated in Shelby County, Alabama, for many years; that on or about the 5th day of March 1887, the Louisville and Mashville Railroad Company conveyed the above described lands to H. F. DeBardelaken and the said DeBardelaken by virtue of said deed took possession of said lands and held the same openly, peaceably and adversely as against the claims of all persons up to and until the 7th day of February 1888, when he and his wife conveyed the same to Magnetic Ore Company; that Magnetic Ore Company took possession of said lands under said deed and held the same as did H $_{ullet}$ F $_{ullet}$ DeBardelaten tefore it up to and until the 5th day of April, 1905, when said Hagnetic Ore Company conveyed said lands to Ollie Cost by warranty deed; that . Ollie Cost took possession of said lands under said last named deed and held the same as had Magnetic Ore Company and H. F. DeBardelaken kefore him up to and until the 21st. day of June, 1916, when he conveyed said lands by warranty deed to Pearl V. Cost; that Pearl V.Cost took possession of said lands under said deed and held the same as had Ollie Cost, Magnetic Ore Company and H. F. DeBardelaten tefore her, up to and until the 7th day of November, 1921, when she and her husband Ollie Cost conveyed said lands by warranty deed to Robert W. Tucker and F. R. Lubright; that Robert W. Tucker and F. R. Lubright took possession of said lands under said deed and held the same as had Pearl V.Cost, Ollie Cost, Magnetic Ore Company and H. F. DeBardelaken had kefore them, up to and until the 15th day of September, 1923, when Robert W. Tucker conveyed by warranty deed to F.R. Lubright his one half undivided interest in saidlands; that F. R. Lubright since the said September 15, 1923 up to and until the date of the making of this affidavit has held possession of said land under said deed as did Robert W. Tucker and F. R. Lubright, Pearl V. Cost Ollie Cost, Magnetic Ore Company and H. F. DeBardelaken kefore him.

Affiant further states that he has at no time heard any person question the title of the persons above named while they were in possession of said property and the title of F. R. Lubright is recognized generally as being entirely good.

Affiant further states that he has known the southeast quarter of Section 11, Township 20, Range 3 west for many many years, that on and prior to the 6th day of January, 1881, Joel Fitzpatrick was in possession of said land claiming to own the same, holding it openly, peaceably and adversely, and on said date he conveyed the same by warranty deed to Thos B. Miller; that Thomas B. Miller took possession of said land under said deed and held the same as had Joel Fitzpatrick before him up to and until the lst. day of Tecember, 1883, when he conveyed the same by warranty deed to Jason Powell; that Jason Powell took possession of said land under said deed and held the same as had Thos B. Miller and Joel Fitzpatrick before him up to and until the 9th day of September, 1911, when he conveyed three acres in the northwest corner of Said lands to O. Cost; that O. Cost took possession of said three acres of land under said deed and held the same as had Jason Powell, Thomas B. Miller, Joel Fitzpatrick before him, up to and until the 21st. day of June 1916,

when he conveyed said three acres of land by warranty deed to P earl V. Cost; that

Pearl V. Cost took possession of said lands under said deed and held the same as had

O. Cost or Ollie Cost; who is one and the same person, Jason Powell, Thos. B.

Miller and Joel Fitzpatrick before her up to and until the 7th day of November,

1921, when she conveyed said three acres of land to Robert W. Tucker and F. R.

Lubright; that Robert W. Tucker and F. R. Lubright took possession of said lands

under said deed and held the same as had Pearl V. Cost, Ollie Cost, Jason Powell, Thomas

B. Miller and Joel Fitzpatrick before them, up to and until the 15th day of September,

1923, when Robert W. Tucker conveyed to F. R. Lubright by warranty deed his one half

undivided interest in said three acres of land; that F. R. Lubright took possession

of said lands under said last named deed and has held the same from said date

up to and until the date of the making of this affidavit, as had Robert W. Tucker,

and F. R. Lubright, Pearl V. Cost, Ollie Cost, Jason Powell, Thomas B. Miller and Joel

Fitzpatrick before him.

Affiant further states that Ollie Cost and O. Cost is one and the same person, and that he was the husband of Pearl V.Cost. Affiant further states that he has at no time heard the title questioned of the parties above named to said three acres of land and the title and right of possession of F. R. Lubright is questioned by no one so far as affiant has ever heard.

L. C. Nickerson

Sworn to and subscribed before me this 13th day of January, 1928.

K. B. Nickerson-Notary Public

THE STATE OF ALABAMA)
SHELBY COUNTY)

I, L.B.Riddle, Judge of Probate hereby certify that the within affidavit was filed in this office for record Jan. 20th 1923 at 9 oclock A.M. and recorded in Deedrecord 85 page 291 and examined.

L. B.Riddle--Judge of Probate