

Affidavit.

State Of Alabama,)

Jefferson County,)

Before me, the undersigned authority in and for said County, in said State, personally appeared W. T. Caldwell, who is known to me, and who being by me first duly sworn deposes and says on oath that he is the owner of a tract of land in the North Half of Southeast Quarter ($N\frac{1}{2}$ of $SE\frac{1}{4}$) of Section 8, Township 19, Range 2 West, bounded on the South by a branch and on the North by a branch and on the West by the Cahaba River and on the East by the Eastern section line of Section 8, said tract being more particularly described as follows: Commencing at the Southeast corner of the Northeast Quarter of Northeast Quarter of Southeast Quarter of Section 8, Township 19, Range 2 West and run thence North along the Eastern boundary of said section thirty-nine and 11/100 (39.11) feet to the point of beginning, which said point is on a spring branch of the Southern boundary of the property hereinafter described; thence in a general Northwest direction down said branch to where said branch flows into the Cahaba River in approximately the following courses and distances: From said point of beginning turn an angle to the left of $47^{\circ} 34'$ and run one hundred and sixty-one and 41/100 (161.41) feet; thence at an angle to the left of $1^{\circ} 48'$ run two hundred two hundred and thirty one and 3/100 (231.03) feet; thence at an angle to the right of $12^{\circ} 24'$ run one hundred and ninety four and 5/10 (194.5) feet; thence at an angle to the left of $36^{\circ} 56'$ run two hundred and forty nine and 69/100 (249.69) feet; thence an angle to the right of $18^{\circ} 38'$ run one hundred and thirty eight and 74/100 (138.74) feet; thence at an angle to the left of $22^{\circ} 67'$ run one hundred and forty six and 67/100 (146.67) feet; thence an angle to the left of $33^{\circ} 32'$ run one hundred and twenty five and 23/100 (125.23) feet; thence an angle to the right of $21^{\circ} 2'$ run one hundred and twenty one and 31/100 (121.31) feet; thence an angle to the right of $46^{\circ} 53'$ run two hundred and ninety three and 3/10 (293.3) feet; thence an angle to the left of $23^{\circ} 48'$ run one hundred and fifty seven and 54/100 (157.54) feet to the Southeastern line of the Cahaba River; thence an angle to the right along the Southeastern line of said Cahaba River $116^{\circ} 27'$ run five hundred and ninety eight and 77/100 (598.77) feet; thence an angle to the right of $23^{\circ} 31'$ run one hundred and forty one and 31/100 (141.31) feet; thence an angle to the left of $17^{\circ} 57'$ run one hundred and 61/100 (100.61) feet to the Northern boundary of the Northeast Quarter of Southeast Quarter of Section 8; thence in an Easterly direction along the Northern boundary of said forty two hundred and seven and 67/100 (207.67) feet; thence an angle to the right of $13^{\circ} 8'$ run two hundred and twenty eight and 74/100 (228.74) feet; thence an angle to the right of 21° run three hundred and seventy six and 7/10 (376.7) feet along a branch; thence an angle to the right of $4^{\circ} 3'$ run one hundred and ninety one and 4/10 (191.4) feet to the Eastern boundary of the Northeast Quarter of Southeast Quarter of Section 8; thence South eight hundred and ninety eight and 34/100 (898.34) feet more or less to the point of beginning.

Affiant further says that the above described property was conveyed to him by Samuel M. Acton on January 14th, 1909, as shown by deed recorded in the Probate Office of Shelby County, Alabama, in Deed Book 46, page 127. Affiant further says that shortly after the conveyance to him that he took possession of said property and has been in the actual adverse possession of the same since shortly after purchase, cultivating the same and cutting timber off of said property.

Affiant further says that he knows of his own knowledge that prior to the time he purchased said property that Samuel M. Acton was in possession of said property and that your affiant, Samuel M. Acton and those under whom he claims have been in the

continous actual possession of said property for a considerable period over twenty years and that no one other than your affiant or those under whom he claims have ever asserted any right, title or interest in and to said property.

Affiant further says that he has continuously assessed said property for taxation since the date of his purchase.

Affiant further says that the boundary lines of said property are well defined and that there has never been any dispute as to the boundary lines of your affiant's property and the adjoining property owners.

W. T. Caldwell.

Sworn to and subscribed before me, this 25th day of April, 1928.

S. W. Smyer. Notary Public.

State Of Alabama,)

Jefferson County,)

Before me, the undersigned authority in and for said County, in said State, personally appeared S. M. Acton, who is known to me, and who being by me first duly sworn, deposes and says on oath that he was formerly the owner of the property conveyed to W. T. Caldwell and that your affiant has read the affidavit of W. T. Caldwell and knows of his knowledge that the averments made therein are correct.

S. M. Acton.

Sworn to and subscribed before me, this 25th day of April, 1928.

S. W. Smyer. Notary Public.

State Of Alabama,)

Jefferson County,)

Before me, the undersigned authority in and for said County, in said State, personally appeared S. J. Street, who is known to me, and who being by me first duly sworn, deposes and says on oath that he is familiar with the title and possession of the property described in affidavit of W. T. Caldwell and knows of his own knowledge that the facts averred in said affidavit are correct and that the said W. T. Caldwell and those under whom he claims have been in the actual possession of said property continuously for over twenty years.

S. J. Street.

Sworn to and subscribed before me, this 25th day of April, 1928.

S. W. Smyer. Notary Public.

State Of Alabama,)

Jefferson County,)

Before me, the undersigned authority in and for said County, in said State, personally appeared Samuel M. Acton, who is known to me, and who being by me first duly sworn, deposes and says on oath that he is the owner of the following described property, situated in Shelby County, Alabama, towit:

Commencing at the Southeast corner of Section 8, Township 19, Range 2 West and run thence West along the Southern boundary line of said section two thousand and 89/100 (2000.89) feet; thence an angle to the left of 41° 33' run one hundred and three and 25/100 (103.25) feet to a gum tree; thence an angle to right of 85° 29' run seven hundred and ninety and 6/10 (790.6) feet to a point which is forty five and 38/100 (45.38) feet Southeastward of a birch tree on the bank of the Cahaba River; thence continue in the same direction forty five and 38/100 (45.38) feet to a birch tree on the bank of the Cahaba River; thence in a Northeasterly direction along the Southeastern bank of the Cahaba River to a point where said line intersects the Southern boundary

line of W. T. Caldwell's land, more particularly described in his affidavit bearing date of April ____ 1928, which line is the meandering~~a~~ of a spring branch running into the Cahaba River; thence in a general Southeasterly direction up said branch to a point where said branch intersects the Eastern boundary of Section 8; thence South thirteen hundred and sixty six and 36/100 (1366.36) feet to the point of beginning, containing 96.3 acres more or less.

Affiant further says that your affiant or those under whom he claims have been in the actual adverse possession of said property continuously for over twenty years and that the possession and from said property was acquired is more particularly set out in that affidavit heretofore made by your affiant as shown on by affidavit it recorded in Deed Book 61, page 457 in the office of the Probate Judge of Shelby County, Alabama, which affidavit bears date July 9th, 1917.

Affiant further says that the boundary lines of said property are well defined and that there is no dispute nor there has never been any dispute between your affiant and the adjoining property owners as to the exact location of the boundary lines of this property.

Samuel M. Acton.

Sworn to and subscribed before me this 25th day of April, 1928.

S. W. Smyer, Notary Public.

The State Of Alabama,)

Shelby County ,)

I, L.B. Riddle, Judge of Probate certify that the within affidavit was filed in this office for record May 12th, 1928 at 10 O'clock A. M. and recorded in deed record 86 on page 56 and examined.

L.B. Riddle, Judge of Probate.