

## AFFIDAVIT

STATE OF ALABAMA )

JEFFERSON COUNTY )

AFFIDAVIT OF I. E. N. Johnson  
TO THE PUBLIC

Affiant being first duly sworn deposes and says: My name is I. E. N. Johnson. I am a resident of Shelby County, Alabama and am 68 years of age and have lived in Shelby County Alabama for approximately 66 years, and have lived not far from the hereinafter described property, with which I am well acquainted.

I knew John Acton in his life time and remember when he owned and had possession of this property. I know that he had a daughter Virginia Harris and a daughter Louisa Wilson and one son Rufus Acton. These were the only children of John Acton. I know that John *Acton* openly claimed to own the hereinafter described property, having received part of same by patent from the United States Government and part by a purchase, as it was generally understood. I recall that the said John Acton as far back as 1884, farmed, used and controlled all the hereinafter described property and paid taxes on same and openly claimed to own same and had fenced part of same, and that no one ever disputed his right and title to same that ever I heard, and that the said John Acton was recognized by every one as being the owner of all the hereinafter described property.

The said John Acton some time prior to 1890 according to my recollection deeded the hereinafter described property to Louisa Wilson, his daughter, and gave about that same time to his daughter said Virginia Harris, or to her children, certain other property lying close to the hereinafter described property, in fact partially adjoining same.

I remember Louisa Wilson the daughter of John Acton, and know that after receiving the property from her father, that she lived on this property which is east of a line described in deed from John Acton to the heirs of Virginia Harris as the "east and west line" in the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 32, Township 19, Range 2 west.

Virginia Harris and family lived on property west of this said line. She nor any of her heirs or successors in title ever claimed to own or ever exercised any dominion over any portion of the land lying to east of this said line, which is the property hereinafter described.

I know that the said Louisa Wilson claimed openly to be the sole owner of same, that she lived upon and cultivated part and exercised dominion over all of the said property hereinafter described, and that no one ever disputed her right and title to same to my knowledge.

I recall that sometime about 1907 J. M. C. Johnson, personally known to me, and Theo Johnson, bought the hereinafter described property from Louisa Wilson, and that J. M. C. Johnson thereupon entered upon the said property hereinafter described, and exercised dominion over all of same and they openly claimed to be the sole owner of same, paid taxes on same and farmed or rented same, and used same, and that no one ever disputed the Johnson's right and title to same to my knowledge.

I recall that the said Johnsons sold the hereinafter described property to J. O. Crumly and E. A. Edwards about 1919 or 1920 and that said Crumly and Edwards then openly claimed to be the sole owners of said property and the said Crumly moved onto same and stayed there for over seven years, cultivating and paying taxes on same, and then rented same for one or two years and then moved back onto same, cultivating and continuing to exercise dominion over same until same was sold to Annie Woodard, Prior to this date, the said Crumly by warranty deed from the said Edwards, became the sole owner of the hereinafter described property, which he then sold to the said Annie

Woodard in October, 1927. No one ever disputed the right and title of the said J. O. Crumly or E. A. Edwards to my knowledge.

Since purchasing the hereinafter described property the said Annie Woodard has openly claimed to be the sole owner of same and has lived upon and cultivated same, and generally exercised dominion over same. No one has disputed her right and title to same to my knowledge.

The property above referred to throughout this affidavit is particularly described as follows: The following described property situated in Shelby County, Alabama, to-wit:

SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 5, Tp. 20, Range 2 west; A part of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Sec. 32, Tp. 19, Range 2 west described as follows:

Beginning at the NE corner of said forty, running thence west 24 rods, thence in a southeasterly direction in a straight line to the SE corner of said forty; also, a part of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  Section 32, Tp. 19, Range 2 west, described as follows: Beginning at a point near the NE corner thereof where a lane running in a northerly and southerly direction runs into said line, running thence in a southerly direction along the middle of said lane to the point where the same runs into or intersects the southern boundary line of said forty, thence run east to the SE corner of said forty; thence run north to the NE corner of said forty; thence run west to the point of beginning, and being all of that forty lying east of the middle of said lane; also a tract of land lying in the W $\frac{1}{2}$  of the SW $\frac{1}{4}$  of Section 33, Tp. 19, Range 2 west and in the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 4, Tp. 20, Range 2 west described as follows: Begin on the north boundary line of the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 33 14 rods west from the NE corner of said NW $\frac{1}{4}$  of SW $\frac{1}{4}$ , Section 33, thence run south in a straight line to a point in the south boundary line of NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 4, 14 rods west from the SE corner of said NW $\frac{1}{4}$  of NW $\frac{1}{4}$  Section 4, thence run west along the said south boundary line of said NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Sec. 4, to the SW corner of said forty; thence run north along the west boundary line of NW $\frac{1}{4}$  of NW $\frac{1}{4}$  of Section 4; and west half of SW $\frac{1}{4}$  of Section 33 to the NW corner of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 33; thence run east along the north boundary line of said NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Sec. 33 to the point of beginning, containing 146 acres.

I have been familiar with this property and the title of same, and those owning and claiming openly to own same since prior to 1884, and I know that none other than those parties enumerated above ever farmed, except as tenants of some of above named owners, any of aforesaid property or ever otherwise exercised any dominion over same, and that therefore this property has been held and controlled by the aforesaid successive owners for more than forty years, openly and notoriously, continuously and uninterruptedly, peaceably, adversely, under color of title and claim of right.

I. E. N. Johnson

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, Joseph J. Bain a Notary Public in and for said County in said State hereby certify that I. E. N. Johnson whose name is signed to the foregoing affidavit, and who is known to me, acknowledged before me on this day that being informed of the contents of this affidavit, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 15 day of May. 1928.

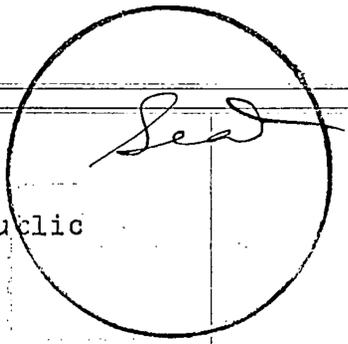
Joseph J. Bain--Notary Public

Sworn and subscribed before me this the 15 day of May, 1928/

Joseph J. Bain--Notary Public

THE STATE OF ALABAMA )

SHELBY COUNTY )



I hereby certify that the within affidavit was filed in this office for record May 25th 1928 at 9 oclock A.M. and recorded in Deed record 86 page 154 and examined.

L. B. Riddle--Judge of Probate

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