

AFFIDAVIT

STATE OF ALABAMA)

SHELBY COUNTY)

Before me L. H. Ellis, a Notary Public in and for Shelby County, Alabama, personally appeared J. W. Hester who is known to me, and who, being by me first duly sworn, deposes and says that he is acquainted with what is known as the "J.M. Finley Place" situated in Sections One and Two Township 20, Range 1 east, and in Section 36, Township 19, Range 1 east, and has known said land as long as he can remember, and he was born in 1865. The land above referred to is described as follows:

$W\frac{1}{2}$ of $NW\frac{1}{4}$ of Section 1; $E\frac{1}{2}$ of $SW\frac{1}{4}$ of Section 1; $E\frac{1}{2}$ of $NW\frac{1}{4}$ of Section 1; $E\frac{1}{2}$ of $NE\frac{1}{4}$ of Section 2; the $SW\frac{1}{4}$ of $NE\frac{1}{4}$ Section 2; $SW\frac{1}{4}$; $W\frac{1}{2}$ of $SE\frac{1}{4}$; $S\frac{1}{2}$ of $NW\frac{1}{4}$; of Section 2, all in Township 20, Range 1 east; $SE\frac{1}{4}$ of $SW\frac{1}{4}$ Section 36, Township 19, Range 1 east.

Further deposing affiant says that upon the aforementioned tract of land was at one time located an old mill site known as the "Finley Mill."

Further deposing affiant says that he remembers when John Dixon and W. R. Phillips who at that time lived at Fayetteville, in Talladega County, Alabama, bought said land in 1834.

Further deposing affiant says that said Dixon and Phillips immediately went in possession of said land and placed a large herd of cattle thereon, and placed a man in charge of said cattle and in charge of said land, and he remained thereon in that capacity for about two years, and immediately thereafter they placed in possession of said cattle and in possession of said land a man by the name of Will Hardy, and said Hardy remained in possession of said land and of said cattle for about ten years, and during and throughout said period herein referred to said parties cultivated portions of said land each and every year.

Further deposing affiant says that he knows that J.C. Jackson subsequently bought said land and cut timber on it, but he is not certain about the number of years that the timber cutting continued.

Further deposing affiant says that he knew A. Sullivan during his life time and he never heard of A. Sullivan owning any of the aforementioned and described land, or advancing any claim thereto.

Further deposing affiant says that many years ago he owned land and lived in the community where the above described land is situated.

Sworn and subscribed to before me

J.W. Hester

this the 16th day of July 1928.

L. H. Ellis--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 July 18th 1928 at 9 oclock A.M. and recorded in Deed record 86 page 426 and examined.

L.B. Riddle-- Judge of Probate