
 AFFIDAVIT

STATE OF ALABAMA)

JEFFERSON COUNTY)

Before me, the undersigned authority in and for said County in said State, personally appeared C.C. Bailey who is known to me, and who being by me first duly sworn, deposes and says on oath, that he is one of the heirs of John Acton, the grantor in that certain deed recorded in Deed Book 59, page 574, in the probate office of Shelby County, Alabama, which deed was executed by John Acton and wife to John C. Acton, who was the son of the grantor. Affiant further says that he knows of his own knowledge that a part of the property intended to be conveyed by this deed was the $SE\frac{1}{2}$ of $NW\frac{1}{4}$ of $NE\frac{1}{4}$ Sec. 17, Tp. 19, R. 2 W, and that he has been informed that the same appears on the records in the Probate Office of Shelby County, Alabama, as the $SE\frac{1}{4}$ instead of the southeast diagonal half,

Affiant further says that this is an error and that he recalls that when this division was made by John Acton he divided certain property that he owned between two of his sons, and this property was divided diagonally for their benefit so that it would adjoin other property owned by the sons.

Affiant further says that S. M. Acton a brother of John C. Acton is the present owner of said property. Affiant further says that immediately after said property was conveyed to John C. Acton, that his brother as his agent, took possession of said property, cutting timber, and remained in possession until the time the heirs of his brother conveyed said property to him, and that said S. M. Acton has cut timber from said property and sold timber on said property and has exercised other acts of ownership over said property, and it is known throughout the neighborhood that S. M. Acton is the owner of this twenty acres known as the $SE\frac{1}{2}$ of $NW\frac{1}{4}$ of $NE\frac{1}{4}$ of said Sec. 17, and that no one other than said S. M. Acton or those under whom he claims has ever been in

possession of said property, or exercised any acts of ownership on said property for over forty years to your affiant's knowledge. Affiant further says that John Acton and Terirsce Acton are both dead.

C.C. Bailey

Sworn to and subscribed before me this

16 day of August, 1928.

P. W. Acton
Justice of the Peace

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 Aug. 18th 1928 at 9 oclock A.M. and recorded in

Deed record 86 page 505 and examined.

L. B. Riddle--Judge of Probate