

AFFIDAVIT

STATE OF ALABAMA )

SHELBY COUNTY )

Before me L. H. Ellis, a Notary Public in and for said County in said State, personally appeared Emma Benton, who is known to me, and who being by me first duly sworn, deposes and says that she is the widow of W. C. Benton, deceased, who was grantee in that certain deed, dated, January, 4th 1887, wherein John W. Naish and wife, Eleanor Naish, were grantors, and which said deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 4 at page 298.

Further deposing affiant says that she was personally acquainted with John W. Naish and his wife the said Eleanor Naish, and that both of them are dead, and that both of them have been dead more than twenty years.

Further deposing affiant says that she has been acquainted with the land conveyed in the aforementioned deed since 1877 and she has lived on said land from the time her husband bought it on January the 4th 1881 down to the present time, and that said John W. Naish was in possession of said land, claiming to own it, from 1877 until he sold it to said W. C. Benton on January the 4th 1881; the land belonged to one Abraham Naish, who died in January 1877 and the children divided up his property and this particular land fell to the lot of John W. Naish one of his sons, although it was sold through the Probate Court and was bought in by him, and soon thereafter he sold and deeded it to my husband, who remained in the actual, open, notorious, continuous, exclusive, adverse possession of the same until the time of his death on the 25th day of July, 1917, and since that time affiant as his widow, and the heirs at law of said W. C. Benton, have remained in the actual, open, notorious, continuous, exclusive adverse possession of same down to the present time.

Emma Benton

Sworn and subscribed to before me this the  
8th day of September, 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 Sept. 10th 1928 at 2 oclock P.M. and recorded in Deed record 86 page 596 and examined.

L. B. Riddle--Judge of Probate