

## 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, at the time of his death, owned all of the southwest quarter of Section 11, Township 21, Range 3 west, south and west of Buck Creek, and the southeast quarter of the northwest quarter of Section 14, Township 21, Range 3 west, all in Shelby County, Alabama.

Further deposing affiant says that she was acquainted with William Leonard and James Benton, who were grantees in that certain Sheriff's deed, dated May 18th 1877, and recorded in the Probate Office of Shelby County, Alabama, in Deed Book 21, at page 51, in which Columbus Benton was grantor, by Francis A. Nelson Sheriff of Shelby County, Alabama, and in which among other land, was conveyed the southwest quarter of said Section 11, and the southeast quarter of northwest quarter of Section 14, all in Township 21, of Range 3 west, Shelby County, Alabama.

Further deposing affiant says that soon after the execution of said Sheriff's deed, said William Leonard and James Benton divided between themselves said land which they had bought by said Sheriff's deed, and by the terms of said division said James Benton procured the southeast quarter of the northwest quarter of Section 14, and all that portion of the southwest quarter of said Section 11, lying south of Buck Creek, and said William Leonard procured as his part of said land all that portion of said southwest quarter of Section 11, lying north of Buck Creek, and certain other lands in said Sheriff's deed conveyed, and said William Leonard immediately went in possession of the land falling to his lot, according to said division, and said James Benton immediately went in possession of said southeast quarter of northwest quarter of Section 14, and all that portion of said southwest quarter of said Section 11, lying south of Buck Creek, and remained in possession of it until he deeded it to said W. C. Benton, by deed dated November the 6th, 1877, which is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 1 at page 701.

Further deposing affiant says that her husband, W. C. Benton for more than thirty years immediately prior to his death, regularly assessed and paid taxes each year on all of the land owned by him at the time of his death, viz:

The south half of the south half of Section 10; the northeast quarter of the southeast quarter of Section 10; fifteen acres off of the east side of the northwest quarter of the southeast quarter of Section 10; all of the southwest quarter of Section 11, lying south of Buck Creek; the following portion of the southeast quarter of Section 11, viz: commencing at Buck Creek on the half mile Section line of Section 11, Township 21, Range 3 west, and running south along said line 227 yards, thence east 178 yards to Buck Creek, thence north along the west bank of said Buck Creek to the point of beginning, the same being a part of the northwest quarter of southeast quarter and a part of the southwest quarter of the southeast quarter of said Section 11, Township 21, Range 3 west; and the southeast quarter of the northwest quarter of Section 14, all in Township 21, range 3 west, Shelby County, Alabama.

Further deposing affiant says that since the death of said W. C. Benton



in 1917, all of said land has been regularly assessed for taxation each year by the heirs at law of said W. C. Benton, and the taxes paid thereon.

Further deposing affiant says that while all that portion of the southwest quarter of the southeast quarter and the north half of the southeast quarter of said Section 11, Township 21, Range 3 west not owned by W.C. Benton in 1891 and 1892 may not have been assessed for taxes, and may ~~==~~ have been sold, yet that portion of said sub-division owned by said W. C. Benton were assessed for taxes and said taxes were paid thereon for said years.

Emma Benton

Sworn and subscribed to before me

this the 22nd day of September 1928.

L. H. Ellis  
Notary Public, Shelby County  
Alabama

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. 22nd 1928 at 9 oclock A.M. and recorded in Deed record 87 page 27 and examined.

L.B.Riddle--Judge of Probate