

## AFFIDAVIT

STATE OF ALABAMA )

COUNTY OF SHELBY )

Before me the undersigned authority in and for said County in said State, personally appeared T.C.Elliott who being duly sworn deposes and says on oath, that he knew C. F. Elliott; that said C.F.Elliott died prior to January 14th, 1915, leaving as his only heirs and next of kin, his son T.C.Elliott and the following sons and daughters who are mentioned as grantors in a certain conveyance to said T.C. Elliott of date January 14th, 1915, to-wit: R. W. Elliott, C. M. Elliott, S.E.Elliott, whose wife was Lida M. Elliott (or L.M.Elliott); Pauline Armstrong, whose husband was B.S. Armstrong; W. J.Elliott, whose wife was Josie Elliott; W. B. Elliott, whose wife was Bertha Elliott; L.C.Elliott and Mrs.L. C. Montgomery, who was a widow at said time, all of whom were of full age at the date of said deed. Affiant further says that the said C.F. Elliott at the time of his death owned the said property mentioned in said deed, except about six acres thereof that he had theretofore sold and conveyed to Fannie S. Elliott, who was the wife of T. C. Elliott; and that his said heirs mentioned in said deed owned same at the date of the said conveyance; that since the date of said conveyance to-wit January 14, 1915 the said T. C.Elliott and wife F. S.Elliott have been in the actual, open, notorious, visible, hostile, continuous possession of said property, under claim of right and ownership, up to December 16th, 1918, when they conveyed said property to Luther M.Davis, who has so held such possession of said property adversely, until he sold and conveyed the same to E.H.Wilder on to-wit: November 2nd, 1927; and that the said E.H.Wilder has so held such adverse possession of said property from said date until the present time.

Affiant further says that during all the time he has known the said property, which is fully twenty years, its boundaries have been well fixed and marked by fences and enclosures, and that the following is a correct description of the said property from a careful survey thereof, and is the identical property mentioned in said conveyance of said heirs to T.C.Elliott of date January 14th, 1915, to-wit:

Commencing at the southeast corner of the SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 9, Township 19, Range 2 east, and run thence north 2 $\frac{1}{2}$  degrees west 220 yards to point of beginning; thence run north 87 $\frac{1}{2}$  degrees east 720 yards to the center of J.T.Davis branch, thence north 2 $\frac{1}{2}$  degrees west along the center of said branch 123 feet to the center of Spring Creek, thence in a northwesterly direction along the center of said Spring Creek following its meanderings to a point 110 yards south of the North Boundary line of the NE $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 9, and 540 yards east of the west boundary line of the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 9, thence south 87 $\frac{1}{2}$  degrees west 540 yards to the west boundary line of said NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said section 9, thence south 330 yards to the southwest corner of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of said Section 9, thence north 87 $\frac{1}{2}$  degrees east 440 yards to the southeast corner thereof, thence south 2 $\frac{1}{2}$  degrees east 270 yards to point of beginning, said land being parts of SW $\frac{1}{4}$  of SE $\frac{1}{4}$  and SE $\frac{1}{4}$  of SW $\frac{1}{4}$  and NE $\frac{1}{4}$  of SW $\frac{1}{4}$  and NW $\frac{1}{4}$  of SW $\frac{1}{4}$  of Section 9, Township 19, Range 2 east, containing 74 acres more or less.

T. C. Elliott

Subscribed and sworn to before me this

the 15 day of June 1929.

W. C. Welch--Notary Public  
THE STATE OF ALABAMA )  
SHELBY COUNTY )

I, Cage Head, Judge of Probate hereby certify that the within affidavit was filed in this office for record July 22, 1929 and recorded in Deed record 88 page 430 and examined  
Cage Head--Judge of P