

AFFIDAVIT

STATE OF ALABAMA)
JEFFERSON COUNTY)

Before me, the undersigned authority in and for said State and County, personally appeared J.H. Milstead, who after being duly sworn, deposes and says:

I am a resident of Jefferson County, Alabama and I am fiftythree years old. I am well acquainted with the northeast quarter ($NE\frac{1}{4}$) of the northwest quarter ($NW\frac{1}{4}$) of Section 3, Township 20, Range 3 west, Shelby County, Alabama. I have known this tract of land since I was a very small boy. When a boy, I lived about a quarter of a mile from this land. I recall that before I was ten years old that this land was in the possession of Mr. Tobe Golden, who lived just above this tract of land. I know that from about 1884 up to the time of the death of Mr. Tobe Golden that this land was in the actual possession of Mr. Golden and was cultivated each year by him, he having crops of both corn and cotton on the land. After the death of Mr. Tobe Golden, Mr. J.D. McClendon took possession of the land and cultivated it each year until he rented it to me, about twenty or twenty three years ago. Mr. McClendon was a brother of Mrs. Tobe Golden and they lived near each other and he cultivated the land continuously during this period of time. Some twenty or twenty three years ago the land was rented to me and I took possession of same and cultivated it for three or four years as a tenant of Mr. J.D. McClendon. I know of my own knowledge that for a period of approximately thirty years this land was in the actual possession of Tobe Golden, J.D. McClendon and myself as a tenant of Mr. McClendon and that continuously during that period of time the land was cultivated each year and used in connection with other farming lands as such lands ~~xxxxxx~~ are usually used. During this period of time Mr. McClendon, Mr. Golden, and his heirs, claimed to own the land it is known in the community as belonging to said parties and I never heard during that period of time any one dispute the ownership of said persons to said land.

I understand that Mr. J.D. McClendon and Tobe Golden had bought this land from Mr. I. N. Langston and I know that Mr. Golden during the time he was cultivating this land lived in the house which Mr. Langston formerly owned and lived in. This affidavit refers to surface rights only.

I was acquainted with the heirs of Mr. Tobe Golden. He had three children, Sydney Golden, who married C. L. Martin, Martha Golden, who was never married, and a son, Lee Golden, who married and at his death left surviving him one child, Edward Davis Golden. After the death of Lee Golden, his widow, whose name was Ada, married Tom Hollis. These were the only children and the only heirs of Tobe Golden.

J. H. Milstead

Sworn to and subscribed before me on this
the 3d. day of October, 1929.

S. P. Davis--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 Oct. 11th 1929 at 2 o'clock P.M. and recorded in Deed record 90 page 56 and examined,

Cage Head--Judge of Probate