

## AFFIDAVIT

STATE OF ALABAMA )

SHELBY COUNTY )

Before me C. Age Head, Judge of Probate in and for said County in said State, personally appeared L.H. Ellis, who is known to me and who being by me first duly sworn, deposes and says:

That he is acquainted with the following real estate, situated in the town of Columbiana, Shelby County, Alabama, viz:

One triangular lot in Columbiana, Alabama, described as follows: for beginning point commence at the SE corner of the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 26, Township 21, Range 1 west. thence north 65 degrees west 705 feet to the NE corner of the south end of Lot 30, as per W. J. Horsley's map of Columbiana, Alabama, thence north 72 degrees west 100 feet to an alley; thence south 3 degrees E. 230 feet to point on west side of L & N Street; thence north 20 degrees E. 218 feet to beginning point; said lot being south part of Lot No. 30; and in S part of the SE $\frac{1}{4}$  of NE $\frac{1}{4}$  of Sec. 26, Tp. 21, R. 1 west.

Further deposing, affiant says that said lot of land above described is also described as follows:

A triangular or three cornered lot in the Town of Columbiana, Alabama, described as follows: Beginning at the point of intersection of the west line of the street or road leading from the old Court House to Shelby Springs by way of Louisville and Nashville Depot, with the east line of an alley running from said street nearly due north to the south side of West College Street, and running northeasterly along the west side of said road leading to Shelby Springs, a distance of 221 feet, thence in a westerly direction 100 feet, more or less, to the east line of said alley, thence nearly due south along the east line of said alley 237 feet, more or less, to the point of beginning.

Further deposing affiant says that he has known the aforementioned land for twenty years or more and was acquainted with J. W. Blackerby, who obtained a deed from A. M. Elliott and Sallie E. Elliott, on the 3rd day of November, 1909, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 43, at page 605.

Further deposing affiant says that the land described in said last mentioned deed, includes the lot or parcel of land hereinabove and heretofore particularly described and set out, and that said J. W. Blackerby at the time of the execution of said last mentioned deed went into possession of said property therein conveyed, including the lot particularly described in this affidavit, and remained in the actual, open, notorious continuous, exclusive, adverse possession of same up to the time of his death, on or about December 2nd 1916.

Further deposing, affiant says that Mary E. Blackerby who on September 4th 1917, executed to W. D. Bearden and A. A. Acker, a certain deed which is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 62 at page 79, was the surviving widow of said J. W. Blackerby and was the wife of ~~the~~ said J. W. Blackerby on April 14th 1910, when he executed his Will, which Will has been probated in the Probate Office of Shelby County, Alabama, and is recorded in Will Book 1, at page 269 in said Probate Office.

Further deposing affiant says that at the death of the said J. W. Blackerby his said widow, Mary E. Blackerby, went into possession of said lot of land particularly



described in this affidavit and remained in the actual, open, notorious, continuous, exclusive, adverse possession thereof until the 4th day of September, 1917, when she conveyed the same by deed to W. D. Bearden and A. A. Acker, as aforesaid, And said Bearden and said Acker went into possession of said land which they obtained by said deed from Mary E. Blackerby immediately upon the execution of said deed, and remained in actual, open, notorious, continuous, exclusive, adverse possession thereof until they deeded it to Alice E. Norris, by deed dated September 25th, 1917, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 62, at page 125.

Further deposing, affiant says that Alice E. Norris, immediately after the execution of said deed to her as aforesaid, went into possession of said land therein conveyed, and remained in actual, open, notorious, continuous, exclusive, adverse possession thereof until the time of her death.

Further deposing affiant says that said Alice E. Norris died intestate some years ago, and prior to September 12th 1929, and left surviving her as her sole heirs at law and next of kin, three children viz: E. T. Norris a son, Frank Norris, a son; and Pearl Friedberger a daughter.

Further deposing, affiant says that the heirs of said Alice E. Norris were in the actual, open, notorious, continuous, exclusive, adverse possession of said land particularly set out in this affidavit until they sold it and executed deeds to it as follows:

Said E. T. Norris deeded said land to Lavonia Gordon and Pearl Friedberger by warranty deed, on September 12th 1929, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 83, at page 560; and said Frank Norris and Pearl Friedberger deeded said land to said E. T. Norris, by Warranty Deed dated March 21st, 1930, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 89 at page 89.

L. H. Ellis

Subscribed and sworn to before me on this the 4th day of April 1930.

Cage Head--Judge of Probate

THE STATE OF ALABAMA )

SHELBY COUNTY )

I hereby certify that the within affidavit was filed in this office for record April 5th 1930 at 2 o'clock P.M. and recorded in Deed record 91 page 137 and examined.

Cage Head--Judge of Probate