

AFFIDAVIT

STATE OF ALABAMA,
SHELBY COUNTY---)

Before me, the undersigned authority, personally appeared S. J. Kendrick, who being first duly sworn, deposes and says that he resides at Montevallo, Alabama; that for a period of more than thirty years last past, he has been acquainted with the following described lands, to-wit:

Beginning on the north side or margin of the Montevallo and Wilton dirt road at the SE corner of the Mrs. Theo Kuffner Lot, running thence along the north side or margin of said Montevallo and Wilton Dirt road in a northeast direction 210 feet, thence in a north-west direction and parallel with the east boundary line of said Mrs. Theo Kuffner Lot 244 feet to a proposed ditch, thence in a southwest direction along the east margin of said proposed ditch and parallel with the east boundary of the Cherry Lot 222 feet, more or less, to the northeast corner of said Mrs. Theo Kuffner lot, thence in a southeast direction along the east boundary of said Mrs. Theo Kuffner lot 173 feet, more or less, to the point of beginning, and being the same lot conveyed by affiant, S.J.Kendrick and wife, Annie Kendrick to O.H. Bice, and the same lot conveyed by O. H. Bice and wife, Exa Bice to Mrs. Amelia M. Rhodes, as shown in Deed Books 56, page 81, and 75, page 444, respectively, situated in the town of Wilton, Shelby County, Alabama, and being a part of that tract of land heretofore described and conveyed in the several deeds hereinafter enumerated as "a small part of the west-half of the North-west quarter of Section 9, Township 24, Range 12 East", situated in Shelby County, Alabama, which last described tract as a small part of the $W\frac{1}{2}$ of $NW\frac{1}{4}$ of said Section 9, was heretofore conveyed by Ben Neeley and wife, Lurena Neeley to C.C.Vandergrift, dated on November, 12, 1880, and recorded in Deed Book 4, page 271, and in a Foreclosure Deed from C.C. Vandergrift to Charles W and John J. Hooper, as shown in Deed Book 19, page 432, dated February 2, 1897, and in an Assignment from Maud S. Hooper, as Executrix of the Estate of John J. Hooper, deceased, to Charles W. Hooper, dated April 12, 1898, and recorded in Deed Book 60, page 425, and in the Assignment from Charles W. Hooper to C.W.Hooper and Company, dated April 19, 1898, recorded in deed book 61, page 67; and in that Warranty deed from Charles W. Cooper, et al to J.S. and J.M. O'Gwinn, dated September 22, 1906, and recorded in Deed Book 36, page 519; and that Foreclosure deed from J. S. and J. M. O'Gwinn to Charles W. Hooper, et al dated November 10, 1908, and recorded in deed book 41 page 536; and from J. S. and J.M. O'Gwinn to affiant, S. J. Kendrick, dated August 23, 1910, and recorded in Deed Book 47, page 226, and from Charles W. Hooper, et al to affiant S.J.Kendrick, by deed dated September 5, 1910, and recorded in Deed Book 44, page 600. That affiant, S. J. Kendrick sold the lot first above described to O. H. Bice, on October, 17, 1913, and soon thereafter and during the year 1914, the said O. H. Bice, built a residence on said lot and made the same his home for a number of years, in fact then years and up until the date of sale of lot to Mrs. Amelia M. Rhodes, and that Mrs. Rhodes has resided upon said lot continuously since the date of said purchase from the said Bice.

Affiant saff further that of his own personal knowledge that for thirty years last past Mrs. Amerlia M. Rhodes and those through whom she claims title, namely, O. H. Bice, S. J. Kendrick; Charles W. Hooper, John F. Axford and Lloyd M. Hooper; J S and J.M. O'Gwinn; and C.C.Vandergrift, to the above described lands have been respectively in the open, notorious, continuous, peaceable and adverse possession of said lands, claiming to own the same as their own respectively against all the world and exercising acts of ownership over said lands; that affiant has never heard the title of the said Mrs. Amelia M. Rhodes or those through whom she holds title to said lands to be questioned; that said lands were cleared and in cultivation by the several owners up until the date of the sale to O.H.Bice by affiant S. J. Kendrick and since said date the tract first above described has been used continuously as a home site by the last two owners named above.

S. J. Kendrick

Sworn to and subscribed before me on this the 2 day of March, 1934.
Paul O. Luck, Notary Public, Shelby County, Ala.,

Filed for record in this office March 2nd 1934 at 11 o'clock AM and duly recorded deed record 97, page 216 and examined March 3rd 1934. Cage Head, Judge of Probate