

Affidavit

STATE OF ALABAMA,
SHELBY COUNTY)

Before me, L.H.Ellis, a Notary Public in and for said County in said State, personally appeared J.M.Templin and Sam Lovett, who are known to me and who, being by me first duly sworn, depose and says:

That they are acquainted with the H.C. Horton land situated in Shelby County, Alabama; there was a considerable tract of this land and sometime after his death about the year 1902, the heirs divided said land among themselves, and the portion of said land which fell to the lot of J.W.Horton is described in the deed of S.A.Horton, H.F.Horton, N.O.Horton, F.A.Coston, S.F.Coston and S.E.Horton to J.W.Horton, of date April 18, 1902, which deed is recorded in the Probate Office of Shelby County, Alabama, in deed book 35 at page 236; at the time of the execution of the aforementioned deed said J.W. Horton went in possession of said land above referred to and described and remained in possession of it until he died in 1932.

Further deposing affiants say that under said division aforementioned the following land, together with other portions of said real estate, fell to the lot of S.F.Coston, who was a daughter of said H.C.Horton, and whose name was Sallie Coston, but she also went by the name of S.F.Coston, viz:

Begin at the north east corner of the northeast quarter of the south west quarter and run west along the north line of said forty 275 yards, thence south 140 yards, thence east 275 yards to the east line of said forty, thence north to the point of beginning, containing 7 acres more or less, all in Section 4, Township 22, Range 1 East, Shelby County, Alabama.

Said seven acre tract of land above described was later deeded by S.F.Coston and husband to J.W.Horton, who was the father of John T. Horton, the present owner.

Further deposing affiants say that they are acquainted with Carl Horton and Louie Pearl Horton, who are the grand-children of said H.C.Horton, they being the sole and only heirs at law of Lum Horton, who was a son of H.C.Horton,

Further deposing affiants say that in the division of said estate aforesaid said Carl Horton and Louie Pearl Horton received their part of said H.C.Horton land, went in possession of same and later sold it or traded it for other lands.

Further deposing affiants say that in this division of the H.C.Horton land, however, 160 acres of it was not disposed of but that 160 acres was retained by the widow, S.A.Horton, also known as Saphronia Horton, as a homestead, but this 160 acres of land was other and different from that now owned by John T. Horton, and which he is offering to the Federal Land Bank of New Orleans as security for a loan.

J.M.Templin

Sam Lovett

Sworn and subscribed to before me
this the 5th day of January, 1935.

L H Ellis, Notary Public.

Filed for record in this office January 5th 1935 at 3 o'clock PM and duly recorded in deed record 98, page 63 and examined.

Cage Head, Judge of Probate.