

AFFIDAVIT

STATE OF ALABAMA,
SHELBY COUNTY).

Before me, L. H. Ellis, a Notary Public in and for said County, in said State, personally appeared John D. Masters, who is known to me and who being by me first duly sworn deposes and says:

I am acquainted with the thirty acres of land off the west side of the south east quarter of the north east quarter of Section 23, Township 19 Range 2 East, Shelby County, Alabama, and have known said land for the last forty years; B. H. Samuel was in possession of said thirty acres of land when he executed to me a deed conveying said land on the 4th day of August, 1906, which said deed is recorded in the Probate Office of Shelby County, Alabama, in deed book 34 at page 202, and at that time was claiming to own the same, and had been in possession thereof, claiming to own it for more than ten years prior thereto; that upon the execution of said deed I went in possession of said land and remained in the actual, open, notorious, continuous, adverse possession thereof, cultivating portions of it each and every year until I deeded it to J. L. Masters by deed of date October 31, 1911, and which said deed is recorded in the Probate Office of Shelby County, Alabama, in deed book 45 at page 411; that immediately upon the execution of the aforementioned deed J. L. Masters went in possession of said land and remained in the actual, open, notorious, continuous, exclusive, adverse possession of same until he deeded it back to me and my wife by deed of date February 20, 1913, by deed which is recorded in the Probate Office of Shelby County, Alabama, in deed book 66 at page 76; during the time J. L. Masters owned said land I had said land leased or rented from him and as above stated actually lived upon it and cultivated portions of it each and every year, and after it was deeded back to me by said J. L. Masters by deed dated February 20, 1913, and recorded in the probate office of Shelby County, Alabama, in deed book 66 at page 76, I remained in the actual, open, notorious, continuous, exclusive, adverse possession of same, cultivating portions of it each and every year down to the present time.

Further deposing affiant says:

I am acquainted with the South east quarter of the north west quarter of Section 24, Township 19, Range 2 East, and have known this land for more than forty years; on the 20th day of November, 1918, Lucius H. Fitch deeded this land to me, by deed which is recorded in the Probate Office of Shelby County, in deed book 50 at page 556; immediately upon the execution of said deed, I went in possession of said forty acre tract of land and remained in the actual, open, notorious, continuous, exclusive, adverse possession of same down to the present time; at the time I purchased said forty acre tract of land, it was in the woods and I cleared it up and put it all in cultivation except about 8 acres, and have cultivated said cleared land each and every year, or had it done, continuously down to the present time.

Further deposing affiant says:

I am acquainted with the southwest quarter of the north west quarter of Section 23, and five acres in the north east corner of the south east quarter of the north east quarter of section 22, all in Township 19 Range 2 East, and have known said land for the past forty years. On the 24th day of August, 1897, Mrs. H. F. Copeland and husband, H. F. Copeland, executed a deed conveying this land to me, which deed is recorded in the Probate Office of Shelby County, Alabama, in deed book 22 at page 309; immediately upon the execution of the aforementioned deed, I went in possession of said land and remained in the actual, open, notorious, continuous, exclusive, adverse possession thereof, cultivating portions of it each and every year, until I deeded it to J. L. Masters, by deed of date October 31, 1911, and recorded in the Probate Office of Shelby County, Alabama, in deed book 45 at page 411, and immediately upon the execution of the last mentioned deed J. L. Masters went in possession of said land and remained in the actual, open, notorious, continuous, exclusive, adverse possession of said land, until he deeded it back to me and my wife, by deed which is dated February 20, 1913, and recorded in the Probate Office of Shelby County, Alabama, in deed book 66 at page 76, and immediately upon the execution of the last mentioned deed my wife and I went in possession of said land and have remained in the actual, open, notorious, continuous, exclusive, adverse possession thereof, cultivating portions of it each and every year, down to the present time; that while J. L. Masters owned said land I had it leased or rented from him and cultivated portions of it each and every year while he owned it and until he deeded it back to me and my wife.

John D. Masters

STATE OF ALABAMA,
SHELBY COUNTY)

Before me, L. H. Ellis, a Notary Public in and for said County, in said State, personally appeared W. D. Fleming and J. D. Milam Sr., who are known to me and who, being by me first duly sworn, depose and say that they have read the foregoing affidavit made by John D. Masters; that they are acquainted with the land described in said affidavit, and have known said land for forty years or more; that they have personal knowledge of the facts set forth in said affidavit and those facts are true.

W. D. Fleming
his
J. D. X Milam Sr.,
mark

Sworn and subscribed to before me
this the 10th day of January, 1935.

L. H. Ellis,
Notary Public..

Filed for record in this office January 10th 1935 at 3 PM and duly recorded in deed record
98, page 98 and examined.

Cage Head, Judge of Probate