

AFFIDAVIT

STATE OF ALABAMA,
JEFFERSON COUNTY)

Personally appeared before me, T. A. Murphree, a Notary Public in and for said County, in said State, W. A. J. Blackerby who is known to me and who being by me first duly sworn, deposes and says as follows:

My full name is William Andred Jackson Blackerby and I live about one mile South of the Town of Chelsea, in Shelby County, Alabama. I was born and reared in about one-half mile of the said Town of Chelsea. I have resided in Shelby County all of my life. I will be sixty four years of age on February 17th, 1935. I was a son of W. H. Blackerby who with my mother L. R. Blackerby, executed that certain warranty deed to me, which is of record in the office of the Judge of Probate of Shelby County, Alabama, in Volume 59, Record of Deeds, on page 64. I am the Grantor who with my wife, Martha Jane Blackerby executed that certain warranty deed to J. H. Grimes, dated May 2nd, 1903, and which deed is recorded in said Probate Office, in Volume 27, Record of deeds on page 335. Said deed to the said J. H. Grimes described a part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 19, Range 1 West, situated in Shelby County, Alabama, with other property. As a matter of fact, if said deed conveyed any part of the said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, it conveyed a very small triangle in the Southwest corner of said Forty. Said part of said Forty conveyed by said deed, if any, did not contain more than one-eighth of an acre. On November 18th, 1905, I and my wife, M. J. Blackerby who is one and the same person as Martha Jane Blackerby, executed that certain warranty deed to Jesse Niven, which deed was filed for record on January 25th, 1916, and is recorded in said Probate Office in Volume 50, on page 279, and which deed conveyed the entire portion of the said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 19, Range 1 West, situated in Shelby County, Alabama. At the time I and my ^{said} wife executed said deed to the said Jesse Niven, I was as I am now, confident that I had not conveyed any portion of said Forty acre tract to the said J. H. Grimes. The said Jesse Niven is to my own knowledge one and the same person as the J. B. Niven who with his wife, S. M. Niven, executed that certain warranty deed, dated December 3rd 1907, filed for record November 28th, 1908, and recorded in Volume 41, Record of Deeds, on page 408, in said Probate Office. The said J. B. Niven or Jesse Niven is a brother-in law of mine. He and I married sisters.

The above described Fortyacre tract of land which I purchased from my said father was purchased by him at an Administrator's sale of the Holcombe Estate. I was seventeen years of age when my father purchased said property at said sale. During the same year that my father purchased said property, he moved upon it and continued in the actual, continuous, open, notorious, hostile, exclusive and adverse possession of the same until he sold the same to me. I never heard of any one questioning my father's title to said property while he owned it. I have never heard of anyone asserting or claiming any interest in or to said property other than myself and those claiming through me, since I purchased the same from my said father.

W. A. J. Blackerby

Sworn to and subscribed before me on this, the 25th day of January, 1935.

Notary Seal

T A Murphree,
Notary Public.

Filed for record in this office February 1st 1935 and recorded in deed record 98, page 155 and examined

L C Walker, Judge of Probate/