

AFFIDAVIT

STATE OF ALABAMA,
SHELBY COUNTY .)

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

I am acquainted with the east half of the south east quarter of Section 34, Township 19, Range 1 East, Shelby County, Alabama, and have known said land for forty years or more; Will Fancher, also known as W.T.Fancher, and I purchased this land from J.A.Fancher on the 15th day of January, 1909 and procured a deed on that date which is recorded in the Probate Office of Shelby County, Alabama, in deed book 35 at page 497; we went in possession of said land immediately upon the execution of said deed and jointly remained in the actual, open, notorious, continuous, exclusive, adverse possession of it until W.T. Fancher deeded his half interest to me on November 30, 1911, by deed which is recorded in the Probate Office of Shelby County, Alabama, in deed record 45 at page 553; during each of the years that said Fancher and I were in possession of said property we farmed upon it or portions of it each and every year; after I acquired Fancher's half interest in 1911, I cultivated said land or had it cultivated each and every year except possibly a year or two, until I deeded it to my wife, Leila M. Carden on June 17, 1916, and during all of that time I was in the actual, open, notorious, continuous, exclusive, adverse possession of said land; upon the execution of the deed to my wife she went in possession of said land and has remained in the actual, open, notorious, continuous, exclusive, adverse possession of said property down to the present time. In 1921, acting for my wife and as her agent, I erected a dwelling house on the land and she and I have lived in that dwelling house continuously down to the present time, and have cultivated portions of the land each and every year and have had a considerable portion of it under fence for a pasture. Since W.T.Fancher executed the aforementioned deed to me, his wife, R.D.Fancher, died. She died about a year ago. At no time did said W.T.Fancher reside upon said land as a homestead and it was not his homestead on the date of the execution of his deed to me.

Further deposing affiant says that at no time in the last forty years has Mrs. J.W.Bolin, or any other person by the name of Bolin, had possession of said land or any interest therein, and the tax sale shown in tax sale record #9 on Page 407, in the Probate Office of Shelby County, Alabama, is erroneous, because the Bolin never have been in possession of said land and have never had any interest in it or owned any land in that section of the county.

R. G. Carden

Sworn and subscribed before me
this the 4th day of March, 1935.

L H Ellis, Notary Public.

Filed for record in this office March 8th 1935 at 11 AM and recorded in ^{deed} ~~mortgage~~ record 98 page 214 and examined.

L C Walker, Judge of Probate.