

## Affidavit

State of Alabama,  
Shelby County.    Ø

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

I am acquainted with the following described real estate situated in Shelby County, Alaba, a viz: A part of the north west quarter of Section 33, Township 19, South, Range 2 East and more particularly described as follows: Commencing at the point of intersection of the north side of the Morgan Hill road and the east side of Tan Yard Branch, and run North  $28\frac{1}{2}$  degrees west 10 chains, thence west 4 degrees south  $1\frac{1}{2}$  chains, thence north  $28\frac{1}{2}$  degrees west 15 chains, to what was once known as the H. C. Phillips land, <sup>thence west  $7\frac{3}{8}$  chains</sup> thence south 4 degrees east along a line or marked trees 28 chains to the north line of said Morgan Mill road, thence in an easterly direction along the north line of said road to the point of beginning, containing 35.9 acres, more or less.

Further deposing affiant says: I have known said land for fifty years or more; my mother is Ophelia M. Gorman, who is also known as O. M. A. Gorman, Alfred Austell bought this land for my mother in 1881; he bought it from M. G. Kidd, as is evidenced by deed which is recorded in the Probate Office of Shelby County, Alabama, in deed book 4 page 309. Alfred Austell also obtained a deed from D. W. Kidd, James W. Kidd, Annie Kidd and John M. Kidd in March 1881, and this deed is recorded in the Probate Office of Shelby County, Alabama, in deed book 4 at page 310. My mother was a niece of said Alfred Austell, who was a wealthy man and, as stated, he bought this land for my mother and gave it to her and put her in possession soon after he obtained the deeds aforementioned. My mother immediately went in possession of said land and lived on it and had portions of it cultivated and every year, and all the while she was claiming to own it and was in the actual, open, notorious, continuous, exclusive, adverse possession of it; soon after Alfred Austell bought it for her she built a house on it, in which she lived and practically raised her family, and my mother remained in the actual, open, notorious, continuous, exclusive, adverse possession of this land from 1881 until she deeded it to Frank Gorman, my brother, and all the while she had tenants on it, cultivating portions of it each and every year.

The land above described does not constitute any part of the plantation in Shelby County, Alabama, upon which Letitia Fitch, a niece of Alfred Austell, lived; she never did live upon any of the land hereinabove described, but the farm upon which she lived was at Arkwright about three miles from the land embraced in this affidavit.

None of the heirs of Alfred Austell ever claimed any interest in this land from the time of his death down to the present time.

A. A. Gorman

Sworn and subscribed to before me  
this the 2nd day of August, 1935

L H Ellis, Notary Public

Filed for record in this office August 6th 1935 at  
9 AM and recorded in deed record 98, page 493 and examined.  
L C Walker, Judge of Probate.