

Affidavit

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. Bearden, who is known to me, and who, being by me first duly sworn, deposes and says that he is acquainted with the following described real estate, situated in Shelby County, Alabama, viz:

All that part of the south-half of the north-east quarter of Section 27, Township 21, Range 1 West, which lies south of the Southern Railroad; and also that portion of the south-west quarter of the north-west quarter of Section 26, Township 21, Range 1 West, more particularly described as follows: Beginning at the north-west corner of said south-west quarter of north-west quarter; and running thence east 4 chains and 20 links, thence south to the south line of said forty, thence west to the south-west corner of said forty, thence north to the point of beginning; and all of said land containing 36 acres, more or less, and lying and being in Shelby County, Alabama.

Further deposing affiant says that he purchased the above described land from one J. S. Dollum on October 3rd, 1909, and went into the immediate possession thereof; that at the time he purchased said land there was a fence entirely around it, except on the east side, where it adjoined the lands of W. E. Price, and that he thereupon immediately placed a fence on the east line of his said land, and thereafter remained in the actual, open, notorious, continuous, exclusive, adverse possession of the same until he sold it to Mrs. Eva Stone on the 2nd day of October, 1925, at which time he executed to said Mrs. Eva Stone a deed, which is recorded in the Probate Office of Shelby County, Alabama, in deed book 79 at page 49, except a strip of land 100 feet wide along the south side of, and adjacent to, the right of way of the Southern Railway, which he had sold to Shelby County for a public road prior to the time he sold said land to Mrs. Stone.

Further deposing affiant says that during the entire period from the time he purchased said land, as aforesaid, until he sold it, he lived upon said land, residing in a dwelling house thereon, and cultivated portions of it each and every year, and used the balance for a pasture, except some strips of woodland, which were enclosed with the other land, and from which he regularly cut fire wood and timbers for use in the upkeep of said place and for family comfort for fires and things of that kind.

Further deposing affiant says that during all of said time, after he placed said fence on the east side thereof, as aforesaid, all of said land remained under fence, and in his actual possession, as aforesaid, until he sold it to Mrs. Stone.

W. D. Bearden

Sworn and subscribed to before me

this the 26th day of April, 1930.

L. H. Ellis
Notary Public.

Filed for record in this office the 17th day of April, 1936, at 2:30 PM and recorded in Deed Record #99, page 319, and examined.

L. C. Walker, Judge of Probate, Shelby County, Ala.