State of Alabama, I Shelby County.

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

I am acquainted with Mrs. Maggie H. Weaver, who owns the following described real estate situated in Columbiana, Shelby County, Alabama, viz:

A certain parcel or tract of land being a portion of the north half of the north west quarter and a portion of the south west quarter of the north west quarter in Section 36, Township 21, Range 1 West and more particularly described as follows: Begin at the south west corner of the north west quarter of the north west quarter of said Section 36, Township 21 Range 1 West and thence run north 84 degrees 40 minutes East 865 feet to an stake on the west side of the Columbiana-Shelby public road, which is the point of beginning of the tract hereinafter described; the nce north 84 degrees 40 minutes east 1029.9 feet, thence north 4 degrees 20 minutes west 742.8 feet, to the south boundary line of the road leading from the Columbiana-Shelby public road to Nathan Mooney's thence along the south margin of said road south 85 degrees 10 minutes west 816.3 feet, thence south 4 degrees 10 minutes east 88.7 feet thence south 88 degrees 20 minutes west 555 feet, crossing the Columbiana Shelby road and to the western margin thereof, thence along the western right of way of said public road north 32 degrees 40 minutes. west 110 feet, thence wouth 85 degrees 10 minutes west 170.6 feet to the eastern line of the right of way of the Louisville and "ashville Railroad, thence along the eastern margin of said railroad 23 degrees 10 minutes east 1401.9 feet, thence north 63 degrees 50 minutes east 292 feet to the western side of the Columbiana-Shelby Public road, thence along the western margin of said public road north 27 degrees 40 minutes west 435.7 feet to the point of beginning, and containing 29 acres, more or less.

The aforementioned description is that made by J. R. McMillan, County Engineer, in a recent survey of said land made by him.

Phoebe L. Weaver on the 2nd day of November, 1898, which deed is recorded in the Probate Office of Shelby County, Alabama, in deed book 21 at page 325; Mrs. Weaver deeded me a portion of this land by deed dated March 7, 1903, and which deed is recorded in the Probate Office of Shelby County, Alabama, in deed book 27 at page 276. The lot or tract of land that I purchased from Mrs. Weaver evidenced by the aforementioned deed lies north of the tract of land above described, and as surveyed out by said McMillan recently. Mxvland is bounded on the south by the right of way of the road or lane leading from Columbiana-Shelby road to Nathan Mooney's, and also by what is known as the Levi Longshore lot, and on the western end it is bounded by the Maggie H. Weaver tract of land, a description of which is hereinbefore set out. In other words I claim no part of nor am 1 in possession of any land south of the north line of the Weaver tract of land as recently fixed by the survey of J. R. McMillan.

Mrs. Weaver also sold to Levi Longshore a portion of the land that she purchased from Phoebe L. Weaver and the deed evidencing this sale is dated January 10, 1906, and is recorded in the Probate Office of Shelby County, Alabama, in deed book 27 at page 591.

I am familiar with the survey that J. R. McMillan, County Surveyor, has recently made of the Weaver land, as aforesaid, and none of the Longshore land lies south of the north boundary line of the Maggie H. Weaver land, as surveyed and staked out by Mr. McMillan.

Further deposing affiant says that Mrs. Maggie H. Weaver, the present owner of the land as described in this affidavit, first above, and containing twenty mine acres, more or less, has been in the actual, open, notorious, continuous, exclusive, adverse possession of said land from the time she purchased it from Phoebe L. Weaver until the present time, except for about two years when it was owned by John S, Pearson to whom Mrs. Weaver sold it and who deeded it back to Mrs. Weaver after he had held title to it for about two years, and during which time said Pearson was in possession of said land and had the actual, open, notorious, continuous, exclusive, adverse possession of same until he conveyed it back to Mrs. Weaver. In other words the possession of Mrs. Weaver, and those through whom she claims title to the

land, has been open, notorious, continuous, exclusive and adverse for thirty five years or more and during all of that time she or those through whom she claims title to said land, had the actual possession of it and either lived on it personally or had tenants on it continuously, and have cultivated portions of it each and every year.

I am acquainted with the tract of land once owned by Lum Holcombe, and which he purchased from W. M. Brasher by deed dated September 7, 1887, and which is recorded in the Probate Office of Shelby County, Alabama, in deed book 94, at page 126. That land lies south of the tract of land conveyed by Phoebe L. Weaver to Maggie H. Weaver as aforesaid and is between the Louisville & Nashville Railwoad and the Shelby and Columbia na road, sometimes known as the Columbiana-Shelby-Montgomery road. It is included in the description of Mrs. Weaver's tract of land as first set out in this affidavit, and it was purchased by Maggie H. Weaver from A. M. Elliott in 1909, consequently her possession of this two and a half acres of land has not been as long as was her possession and ownership of the land lying in the north half of the northwest quarter of said Section 36 Township 21 Range 1 West, to which reference has heretofore been made, but since her purchase of said two and a half acres from A. M. Elliott, which is also what is known as the Lum Holcombe land, which purchase was made in 1909, by deed which is recorded in the Probate Office of Shelby County, Alabama, in deed book 94 at page 238, Mrs. Weaver has been in the actual, open, notorious, continuous, exclusive, adverse, possession of said land up to the present time, with the exception of the two years when it was owned by John S. Pearson, to which reference has already been made. There is a house on this land and has been ever since Mrs. Weaver bought it and long prior the reto, and she and her predecessors in title and those through whom she has derived title to said land, have been in the actual, open, notorious, continuous, exclusive, adverse possession of this two and a half acres for more than thirty years prior to the present time, during which time she and those through whom she has derived title, have actually lived upon said land or had tenants upon it, continuously during said thirty year period, that is to say, during the last thirty years.

Sworm and subscribed to before me this the 26th day of May, 1936.

W. E. Morrow,

Notary Public

L. g. Ellis,

Filed for record in this office the 26th day of May, 1936 at 3;30 PM and recorded in Deed Record #99, on page 497, and examined.

I. C. Walker, Judge of Trobate.