

Affidavit

State of Alabama,
Shelby County)

Personally came and appeared before me, J. R. Johnson, a Justice of the Peace, in and for said County in said State, Dr. E. G. Givhan, who after being first by me duly sworn, according to law to speak the truth, deposed and says, that he is 65 years of age and has lived in Montevallo, Alabama, for the past forty years and during that time has been well acquainted with the hereinafter described lot and those in possession of it, to-wit:

Parts of Lots 19 and 20 in the survey of the Town of Montevallo, more particularly described as follows:- Commence at the intersection of the Northwest side of Broad Street in the Town of Montevallo, and the Northeast side of Shelby Street, thence run Northeast along said line of Broad Street 133 feet 2 inches for a point of beginning, thence continue Northeast along said line of Broad Street 25.4 feet, run thence Northwest parallel with Shelby Street, 300 feet, more or less to the Southeast line of Valley Street, run thence, Southwesterly along said line of Valley Street, 25.4 feet, run thence Southeasterly to the point of beginning.

When affiant first came to Montevallo there was a store building partly on the above described lot and partly on the lot to southwest in which Geo. W. Morgan and C. L. Meroney were doing business under the firm name of Morgan and Meroney; Samuel J. Morgan may have been a member of this firm, affiant is not sure about that. Morgan and Meroney were in possession of this property for several years when Meroney withdrew and the business continued in the same stand as Morgan Bros. or Morgan Brothers Mercantile Co. until about the year 1914 when said store house was burned.

The above lot was then Vacant until about the year 1925 when W. H. Mitchell bought it and built a brick building thereon which he rented to tenants who occupied it as a store until the death of the said W. H. Mitchell, about the year 1933 and since the Birmingham Trust and Savings Co. of Birmingham as Trustee under his will has rented said store building to tenants who have used it as a store to this day.

That for the past forty years the said Birmingham Trust and Savings Company, as Trustee and those through whom it claims have had the actual, open, notorious, adverse, hostile, exclusive, continuous, peaceful and quiet possession of above described lot, holding it under color of title and claim of ownership, Affiant has never known any one being in possession of any part of said lot claiming adverse to said owners, nor has he ever heard of any one claiming any right title or interest in or to said lot adverse to said owners, nor has their title been disputed that he knows of.

E. G. Givhan

Sworn to and subscribed before me this the
11th day of December, 1935.

J. R. Johnson

Justice of the Peace.

Filed for record in this office June 3rd 1936 at 12:30 A M and recorded in deed record 101, at page 19, and examined.

L. C. Walker, Judge of Probate.