State of Alabama Shelby County

Before me, the undersigned authority, in and for said County and State, as aforesaid, personadly appeared J. W. Tumlin, who being by me first duly sworn deposes and says on oath as follows: That my name is J. W. Tumlin, and I am familiar with the owenrship, possession and use of the North Half of the Southeast quarter of Section 26, Township 19, Range 1, East; and have been so acquainted continuously since the year 1909. Your affiant, J. W. Tumlin, purchased the above described lands at a sale ordered by the Chancery Court of Shelby County, Labama, wherein the Richardson heirs and the Thayer Heirs were foreclosing certain mortgages therein described on the 23r d day of March, 1909, as shown in deed book 47, on page 152, in the office of the Judge of Probate of Shelby County, Alabama. Your affiant further states that he was the owner and party in possession of the above described lands until on or about July 12th, 1920, at which time your affiant and W.L. Tumlin sold the above described lands together with other lands to A. F. Estes and executed to the said A. F. "stes a bond for title in the penal sum of \$5,600.00, which said bond for title is recorded in deed book 68 on page 39, in the Probate Office of Shelby County, Alabama: that said above described land was inadvertently left out of the description given in said bond of title, but that said lands were actually sold and the possession thereof delivered to the said A. F. Estes on or about the date of said bond for title, and that on said last named date the said A. F. Istes paid as a part of the purchase price for the above described lands and other lands the sum of \$18,400.08, and executed his note in the sum of \$9.995.92 as security for the balance due on said purchase price.

Your affiant further says that on June 30th, 1923 that he conveyed to W. L. Tumlin all his interest in the North Half of the Southeast quarter of Section 26, Township 19, Range 1 East, and other lands, together with all interest that he held in the balance due on the purchase price of the above described lands, due from A. F. Estes to J. W. Tumlin and W.L. Tumlin, as named above.

Affiant being first duly sworn doth depose and say further that, from the date of said sale, which is evidenced by said bond for title, the said A. F. Estes went into possession of the above described lands and continued in possession continuously from that date up until the date of his death during the year 1926; affiant further says that on or about the year 1924, W.L. Tumlin departed this lofe, and some time thereafter his widow, Maude a Tumlin, was appointed administratrix of said estate, and filed her petition in the Chancery Court of Shelby County, Alabama, foreclosing the lien held by the estate of W.L. Tumlin for the balance due on the purchase price on the above described lands and other lands, and the Chancery Court of said County upon said petition and proof, ordered a sale 'thereof, and at said sale A. F. Estes became the purchaser thereof, and paid the purchase price thereof to the Register of said court, all of which is shown by the records insaid Court; that the said A. F. Estes then continued in possession of said property described above and the lands described in said bond for title, and was in the continuous, peaceful, open, notorious and adverse possession of said lands, either in person or by agent or agents, up until the date of his death, which was some time during the year 1926; that soon after the death of the said A. F. Estes, J.L. Estes and H. R. Estes were appointed as executors of his estate, and said executors were in the continuous, open, notorious, peaceful and adverse possession of said lands and free from the claims of any person up until said executors conveyed said property, in lieu of a foreclosure deed in satisfaction of certain claims or liens held thereon, to J.J. Williamson and G.E.Strickland, during the last few years, and which said deed is of record in Shelby County Alabama; that since the said deed to Williamson and Strickland, as aforesaid, they have been in the continuous, peaceful, open, notorious, and adverse possession of said lands, claiming the same as their own continuously from the date of said deed to the present time. Affiant further says that sine 1909 down to the present time that the several owners and parties in possession of the above described lands, as named in this affidavit, have regularly assessed and paid taxes on the above described land, and that during that time the timber has been cut and removed for lumber purposes from the above described lands; affiant further says that while the above described land has been omitted from the bond of title, executed by affiant and W.L. Tumlin, and also from the Register's deed from Maude A Tumlin to A. E. Estes, and in the deeds executed by A. F. Estes to J.J. Williamson and G.E. Stricklanf, as shown of record, as security for an indebtedness evidence by certain promissory notes, the said lands have in every instance been sold, the purchase price paid and possession delivered by the several grantors to the several grantees named therein; that the same has always been considered and actually included in the several conveyances. Affiant further says that he has never heard the title of the said J.J.Williamson and G.E.Strickland, or those through whom they hold title, for the past twenty-nine years questioned in any way.

J. W. Tumlin

Swotn to and subscribed before me on this the 7 day of February, 1938.

L. C. Walker, Judge of Frobate

Filed for record in this office ebruary 10th 1938 and recorded in deed record 104, page 121 and examined L. C. Walker, Judge of robate