

## AFFIDAVIT

STATE OF ALABAMA)

JEFFERSON COUNTY)

Before me, the undersigned authority, in and for said County, in said State, personally appeared Oscar Harris, known to me, who being by me first duly sworn deposes and says on oath as follows:

I am the grantee in the deed of conveyance by W. W. Russell and wife recorded in Volume 96, at page 338, Records of Deeds in the office of the Judge of Probate of Shelby County, Alabama, and I am the present owner of the real estate described in said deed. I am thirty-three years of age. I was born and reared in the Town of Helena. I have known the above property all of my life. I knew of and know the firm of Lee Brothers that was formerly in the grocery business in Birmingham and still are in the grocery business in the City of Birmingham, Alabama. The firm in 1922 was composed of J. C. and J. H. Lee. I know that J. C. Lee died a few years ago and left surviving him, his widow, Janie B. Lee, and one child, D. M. Lee. I know D. M. Lee well and I know he is the only surviving child of the said J. C. Lee. The said J. C. Lee did not leave surviving him any child or children of a deceased child of him. The said D. M. Lee was over twenty-one years of age on August 6th, 1936, when he joined in a conveyance of the real estate set out and described in the deed record in Volume 100, at page 397, Records of Deeds in the office of the Judge of Probate of Shelby County, Alabama.

There is no building or improvements on the north end of the property described in the deed to me, nor has there been any buildings on the north end thereof since about the year 1925, now is there any building on the lot being the east 30 feet of the west 40 feet, of the north 90 feet of the tract of land 500 feet north and south and 100 feet east and west conveyed to me by the aforesaid deed, and being excepted therefrom, and this lot has been vacant for more than ten years next before this date.

It is my understanding that Paul O. Luck claims to own the above lot 30 feet by 90 feet in the north end of the property belonging to me, and that he claims to own the same under a tax title.

The property was conveyed to me by the aforesaid deed recorded in Volume 96, at page 338, and described as follows: Begin at the northeast corner of the Northwest quarter (NW $\frac{1}{4}$ ) of the Northeast quarter (NE $\frac{1}{4}$ ) of Section 36, Township 19, Range 3 West, run thence south along the east boundary line 500 feet more or less to the north line of the right of way of the Helena & Acton Public Road; thence west along said right of way of said road, 100 feet; thence north 500 feet, more or less, to the north line of said 40 acre tract; thence east 10 feet; south 90 feet; east 30 feet; north 90 feet; east 60 feet to the point of beginning, excepting that portion, however, if any which lies within the right of way of the Acton Branch of the Louisville & Nashville Railroad and also the right of way of the Birmingham-Montgomery Highway, if any. Mineral and mining rights excepted. The said property constitutes one solid body of land, except the east 30 feet of the west 40 of the north 90 feet thereof. There is not any and never has been, since I have known this property, a road of any description extending north and south through said property.

Oscar Harris

Sworn to and subscribed before me,

this the 31st day of October, 1938

Mary E. Stark, Notary Public.

Filed for record in this office the 10th day of November, 1938 at 9 AM and recorded in Deed Record #105 on page 355 and examined. L. C. Walker, Judge of Probate