

Affidavit

State of Alabama)
Shelby County)

Before me, the undersigned authority, personally appeared J.L.Isbell, who being duly sworn deposes and says that he is a resident of Columbiana, Alabama; and that for a period of more than twenty five years, last past, that he has been acquainted with the ownership and possession of the following described lands, to-wit:

The South half of the north half; and the north half of the southwest quarter of Section 10, Township 20, Range 1 West, containing 240 acres, and situated in Shelby County Alabama.

Affiant further says that M. S. Isbell, sometimes known as Mary S. Isbell, the wife of affiant, is now the owner and party in possession of said property, and has been for the past 15 years.

Affiant further says that he knew R.M. Isbell during his lifetime, and that he died sometime during the year 1918 and left surviving him the following heirs at law and next of kin, namely:

John William Isbell; Melvin F. Isbell, sometimes known as M.F. Isbell; Berdie Isbell; Emma Isbell Lee; Ernest Isbell; Lethie Isbell Lee; and Thurman Isbell, all sons and daughters, respectively, of the said R.M. Isbell, and the wife of said decedent, Rosie Isbell, sometimes known as Rosenia Isbell. Affiant further says that there was never any letters of administration taken out on the Estate of R.M. Isbell, and that it is his information that his estate owed no debts. Affiant further says that the parties complainant named in that Chancery suit wherein Ernest Isbell and others were complainants and M. S. Isbell was respondent are the heirs at law and next of kin of said R.M. Isbell, deceased.

Affiant further says that the records show that the Saginaw Lumber Company in 1899 granted to the Louisville and Nashville Railroad Company a right-of way across the Southwest quarter of the Northwest quarter of Section 10, Township 20, Range 1 West, and that this right of way crossed a small corner of the above described property, possibly cutting off as much as a half acre in one corner, and in the corner of the above described quarter. Affiant further says that said right of way has been abandoned and has not been used for more than twenty-five years; and that insofar as he known or has heard the said Louisville and Nashville Railroad Company makes no claim to said right of way.

Affiant further says that he known of his own personal knowledge that for a period of twenty-five years, last past, M S Isbell, and those through whom the said M. S. Isbell holds title to the above described lands, have been, respectively, in the open, notorious, continuous, peaceful and adverse possession of said lands, claiming them as their own, respectively, against all the world, by regularly assessing and paying taxes on said lands, together with cutting timber from said lands and goin upon it from time to time inspecting the same; that affiant has never heard the title of the said M S Isbell or those through whom she holds title to said lands to be questioned in any way.

J L Isbell

Sworn to and subscribed before me on this the 9th day of September, 1939

L C Walker, Judge of Probate

Filed for record in this office Sept 16th 1939 at 2 PM and recorded in deed record 106, page 509 and examined L C Walker, Judge of Probate