

## AFFIDAVIT

STATE OF ALABAMA |

SHELBY COUNTY |

Before me the undersigned notary public in and for said State and County, personally appeared Miss Mamie Powers, who being duly sworn deposes and says:

(1) That her name is Miss Mamie Powers, she is familiar with the property known as:

"The NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  and the surface rights to the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 24, Township 20, Range 3 West, and that part of the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 24, Township 20, Range 3 West, lying W of the right of way of the A. B. & C. Railroad and lying N of Hog-Pen Creek, and E of the center of Peavine Creek containing 10 acres more or less, and containing in all 90 acres more or less.", situated in Shelby County, Alabama.

That she has known this property for more than 40 years and is a grand-daughter of James and Mary Cost, who at one time owned said property and that she is a niece of O. Cost, sometimes known as Ollie Cost. That she knows of her own knowledge and information that none of the Costs or their heirs or descendants have claimed any of this property or lived on said property for the last 40 years. That said property was in the possession of F. C. Douglas sometimes known as Frank Douglas in 1899 and that said Frank Douglas sold said property to Thomas Purvis, Jr., and that none of the Costs have lived on said property since about 1882. That she was familiar with one Emmet Lee and his wife, Vera, who sold said property to Frank Douglas in 1897. That said F. C. Douglas cultivated said land, owned said land, and assessed said land in his own name and after him Thomas Purvis, Jr. owned said land, assessed said land and the tenants of Thomas Purvis, Jr. cultivated said land and that the present owner of said land is William Muir Purvis.

Affiant further avers that none of the heirs of James Cost or Mary Cost have ever claimed any right, title, or interest in said property since the sale of Frank Douglas, and that the said F. C. Douglas, Alias Frank Douglas has had open, hostile, continuous possession of said property for many years, from to-wit 1899 on one tract known as the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 24, Township 20, Range 3 West and that the said F. C. Douglas had possession open, hostile, notorious, and continuous of the tract known as the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , Section 24, Township 20, Range 3 West, since 1901 and that the said possession continued after F. C. Douglas in Thomas Purvis, Jr. after the sale from F. C. Douglas to the said Thomas Purvis, Jr.

That 10 acres situated in the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  lying West of the A. B. & C. Railroad and North of Hog-Pen Creek and East of Peavine Creek was sold by Ollie Cost in 1904, mineral rights to Mary Purvis, and surface rights to S. S. Childers, and that the said S. S. Childers sold said 10 acres of land to F. C. Douglas by warranty deed in 1905 to F. C. Douglas and that the said F. C. Douglas sold said rights in 1913 by warranty deed to Sam Carter and Mary Carter, that Sam Carter and Mary Carter are divorced, but in 1917 conveyed said property to-wit the above described 10 acres in 1917 to Thomas Purvis, Jr., who is now deceased.

Mamie Powers.

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I, Jno. P. Lee, a J. P. in and for said County, in said State, hereby certify that Miss Mamie Powers, whose name is signed to the foregoing affidavit and who is known to me, acknowledged, before me on this day, that being informed of the contents of the affidavit, she executed the same voluntarily on the day the same bears date.

Given under my hand, this 17 day of April, 1940.

Jno. P. Lee, Justice of the Peace

Filed in this office April 18, 1940 at 3 pm and recorded in Deed Record 108 at page 252 and examined.

L. C. Walker, Judge of Probate