

AFFIDAVIT

STATE OF ALABAMA |

SHELBY COUNTY |

Before me, Gract Carter, a Notary Public in and for said County, in said State, personally appeared R. Frank Lyons, who is known to me, and who, being by me first duly sworn, deposes and says;

I am acquainted with the north west quarter of the north east quarter and that portion of the north east quarter of the north west quarter of section 33, township 20, range 1 east, in Shelby County, Alabama, more particularly described as follows:

Beginning at the north east corner of said north east quarter of north west quarter and run west to the NW corner of said forty acres, thence south about 125 yards to a branch, thence in a southeasterly direction along said branch to the mouth of the same at Four Mile Creek, thence in a southeasterly direction straight to the south east corner of said north east quarter of north west quarter, thence north to the point of beginning, containing 25 acres, more or less, and situated in Shelby County, Alabama.

I have known this land practically all my life. I remember when Biggers Bagwell (W. B. Bagwell) and his wife purchased the land from B. H. Smothers on October 30, 1900. Bagwell immediately went in possession of said land under said deed, lived upon it and farmed portions of it until he deeded it to A. F. Clinkscales on September 16, 1901. Bagwell deeded the land to A. F. Clinkscales, as aforesaid, and this deed appears of record in the Probate Office of Shelby County, Alabama, in deed book 35 at page 535. Said Clinkscales went on said land and lived upon it and had possession of it and cultivated portions of it each and every year until he deeded it to George B. Webb on the 5th day of February, 1912. This deed is recorded in the Probate Office of Shelby County, Alabama, in deed book 45 at page 581. Said George B. Webb went in possession of said land immediately after the execution of the deed last above mentioned and lived upon it and cultivated portions of it until he sold and deeded it to S. P. M. Fancher by deed dated September 26, 1914, and recorded in the Probate Office of Shelby County, Alabama, in deed book 56 at page 147. Mr. Fancher went in possession of said land under the deed last above mentioned immediately after its execution and has lived upon it and cultivated portions of it each and every year down to the present time.

Mr. Bagwell above referred to and his wife lived on the land, as I have stated above, and when they deeded the property to A. F. Clinkscales they moved away from that community and I do not know what became of them.

Mr. A. F. Clinkscales and his wife, Sarah E. Clinkscales, lived together on the land until they deeded it to Mr. Webb as I have stated above. Mr. Clinkscales died somewhere in Texas something like fifteen years or more ago, and Mrs. Clinkscales is now dead.

R. Frank Lyon

Sworn and subscribed to before me this the 6th day of June, 1940.

Grace Carter, Notary Public

Filed in this office July 8, 1940 at 3 pm and recorded in Deed Record 108 at page 550 and examined.

L. C. Walker, Judge of Probate

