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 AFFIDAVIT  
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STATE OF ALABAMA |

JEFFERSON COUNTY |

Personally appeared before me the undersigned authority in and for said County, in said State Ona Harmon and Dora Harmon, who being known to me and who being by me first duly sworn deposes and says that they are resident citizens of Shelby County, Alabama, and are each over the age of 45 years.

Affiants further say that they were personally acquainted with Jane Harmon Nicholas during her lifetime and that they remember the occasion of her death which occurred some time around the year 1912. And further, that the the time of her death the said Jane Harman Nicholas was survived by a son John Nicholas, a daughter Nerva Nicholas; a daughter Martha Ann Nicholas; a son Joe Nicholas, and the heirs of a son by the name of Vince Nicholas who died prior to the death of his mother Jane Harmon Nicholas; and a son Sidney W. Nicholas.

Affiants further say that within a short time after the said Jane Harmon Nicholas died that it was generally reputed in the community where affiants and the heirs of Jane Harmon Nicholas lived that the son, Sidney W. Nicholas purchased the interest of his two brothers John Nicholas and Joe Nicholas and the interest of a sister, Martha Ann Nicholas. And affiants further say that Sidney W. Nicholas for more than 20 years before his death had possession of and control of the following described property, to-wit:

The SE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 31, Township 20, Range 4 West; and the North one-half of the NW $\frac{1}{4}$ ; and the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 6, Township 21, Range 4 West, which contained 160 acres more or less, in Shelby County Alabama; which his mother Jane Harmon Nicholas owned at the time of her death. And that the said Sidney W. Nicholas' possession of said property was open, notorious, peaceful and uninterrupted, and so far as affiants know his right to possession and control of said property was never challenged nor questioned, that the said property was regularly listed for assessment and taxes by him and and taxes paid by him up to the time of his death, which occurred in January, 1938. And further, that his widow, Elizabeth Nicholas has had in possession of said property since her husband's death and in September, 1939, the Probate Court of Shelby County, Alabama set out as exempt to the said Elizabeth Nicholas, the widow of Sidney W. Nicholas, deceased, the four-sixths undivided interest in and to said property as exempt to her under the law.

Ona Harmon  
 Dora A. Harmon

Sworn to and subscribed to before  
 me this 10 day of Sept., 1940 - H. P. Lipscomb Jr., Notary Public  
 Filed Sept 12 1940 at 2 PM and recorded in deed record 109, page 179. L C Walker, Judge of F