

Affidavit

STATE OF ALABAMA |

SHELBY COUNTY |

Before me, the undersigned authority, personally appeared T. E. Elliott, who being duly sworn, deposes and says that, he resides at Vincent, Alabama; that for a period of forty years, last past, he has been acquainted with the following described lands situated in the town of Vincent, Alabama:

One house and lot in the town of Vincent, Shelby County, Alabama. Commence at 115 feet from where the right of way line of the Central of Georgia Railway Company strikes the lot of Eugene Williams, at north side of said lot, and running along said line of right of way in a northerly direction 125 feet, thence westerly direction perpendicular to said line of right of way 223 feet, thence southerly direction at right angles west 125 feet, to right of way of O. M. Harris Alley, and thence along the right of way in an easterly direction 223 feet to the starting point, being part of the Northwest Quarter of Northwest Quarter of Section 14, Township 19, Range 2 West, containing 1 acre, more or less. Situated in Shelby County, Alabama.

Affiant further says that he knew the property at the time the same was owned by Mrs. A. E. Vincent, and later owned by C. R. Carter, who in turn conveyed to O. L. Jackson, and Jackson and wife conveyed the same to S. A. Clements and G. W. Clements, who were husband and wife.

Affiant further says that he married Minnie Clements, the daughter of G. W. Clements and S. A. Clements, and that the said G. W. Clements and S. A. Clements have been dead for approximately twenty-five years, and left surviving them at the time of their deaths Minnie Elliott, the wife of the affiant, Fannie Elliott, Mollie Carnes, and Frank Clements, each of whom were over the age of twenty-one years at the date of death of said Clements. Affiant further says that S. A. and G. W. Clements owned the property described above at the time of their deaths, and that there was never any administration on the estate of either S. A. Clements or G. W. Clements; and that neither of said estates owned any debts.

Affiant further says that upon the death of said S. A. Clements and G. W. Clements that the heirs at law of said decedents, as mentioned above, all joined in a deed to Mrs. Praira Seale, Herbert Seale, and Mrs. Gertrude Seale, conveying to them the above described Property; affiant and the husbands and wives, respectively, of the said next of kin all joined in the execution of said deed. Affiant further says that he knows of his own personal knowledge that the purchase price for said lands was paid to the said heirs at law at the time of such conveyance by the said Praira Seale, Herbert Seale and Gertrude Seale, and that said last named parties were placed in possession under and by virtue of the sale, as aforesaid. Affiant further says that he knows that the heirs at law of the said S. A. and G. W. Clements, deceased, do not claim any right, title and interest in and to said lot. Affiant further says he does not know what became of the deed from the heirs at law of the Clements to the Seales, but he knows the same was executed as aforesaid.

Affiant further says that he knows of his own personal knowledge that R. T. McGraw, and those through whom the said R. T. McGraw 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, and exercising acts of ownership over the same; affiant further says that this lot has been used as a residence lot for more than thirty years, and that he has never heard the title of the said R. T. McGraw, or those through whom he holds title to said lands, to be questioned in any way.

T. E. Elliott

Sown to and subscribed before me on this the 8th day of February, 1941.

L. C. Walker

Judge of Probate, Shelby County, Alabama

Filed for record in this office on this the 8th day of February, 1941 at 1:00 o'clock P. M. and recorded in Deed Record #111, on page 132 and examined.

L. C. Walker

Judge of Probate