

Affidavit

State of Alabama
Shelby County.

Before me, Grace Carter, a Notary Public in and for said County, in said State, personally appeared Ernest Carden, who is known to me and who, being by me first duly sworn, deposes and says:

I am acquainted with the following land situated in Shelby County, Alabama, viz:
The north half of the northeast quarter of Section 11, Township 24, Range 15 East, except five acres, more particularly described as follows: Begin at the north west corner of the northwest quarter of the northeast quarter of Section 11, Township 24, Range 15 East, and run thence south along the quarter section line south 3 degrees 45 minutes east 726.7 feet to the Wood Ferry road, thence along the north margin of the right of way of said road south 88 degrees east 907 feet to the point of beginning of the lot herein excepted; thence continuing south 88 degrees east 412.5 feet to the eastern line of said forty, thence north 3 degrees 45 minutes west 528 feet, thence north 88 degrees west 412.5 feet, thence south 3 degrees 45 minutes east 528 feet to the point of beginning, and containing five acres, more or less.

Also the north west quarter of south east quarter of Section 12, Township 24, Range 15 East, except twelve acres on north side; south west quarter of north west quarter of Section 13, Township 24, Range 15 East; also, ten acres in square shape in south east corner of south west quarter of north east quarter of Section 14, Township 24, Range 15 East, and north west quarter of south east quarter, except ten acres in south west corner, Section 14 Township 24, Range 15 East. All in Shelby County, Alabama.

I have known said land all of my life and I am now twenty nine years of age. My grand-father William M. Carden, owned the land at the time of his death, except the part thereof he deeded to Jasper N. Carden, one of his sons, by deed dated October 25, 1907, and which deed is recorded in the Probate Office of Shelby County, Alabama, in deed book 43 at page 53. My grand-father died about 1909 as well as I can recall the date, and since that time his sole heirs at law and next of kin as set out in the bill of complaint filed in the Circuit Court of Shelby County, Alabama, in Equity, on the 16th day of January, 1941, for a sale of said lands for division among the joint owners, have been in possession thereof, except the portion deeded to said Jasper N. Carden as aforesaid. That possession has been actual, open, continuous, notorious, exclusive and adverse during all those years.

Said William M. Carden also known as William Carden was in possession of said land with the exception noted, at the time of his death, claiming to own it.

Said Jasper N. Carden was never married and had no lineal descendants, and his death occurred about four years ago as well as I recall it and he left surviving him as his sole heirs at law and next of kin the parties to the aforementioned suit in the Circuit Court of Shelby County, Alabama. At the time said bill of complaint was filed the persons made parties to the bill of complaint aforementioned jointly owned said property as in said bill of complaint set out.

Ernest Carden

Sworn and subscribed to before me
this the 15th day of May, 1941
Grace Carter,
Notary Public

Filed for record in this office May 15th 1941 at 11 AM and recorded in deed record 111, page 435 and examined L C Walker, Judge of Probate.

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