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AFFIDAVIT #a931

State of Alabama,

Shelby County.

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

I have read the foregoing affidavit of F. S. Farr in reference to the John W. Bolin land. The Farr affidavit is dated July 18, 1941. I am acquainted with said lands, having been reared in the community where the land is located and I now live within one half mile of said land, and have known the land all my life, though I am not as old as Mr. Farr. I have known the land well for forty years.

The John W. Bolin home place consisted of five hundred acres which embraced the lands described in section three and section ten, Township 21 Range 1 East, Shelby County. Alabama, as set forth in Mr. Farr's affidavit, and also the south east quarter of the south east quarter of Section 34, Township 20, Range 1 East, but the home place did not include the west half of the south west quarter of said Section ten. As far back as I can remember, which is forty years or more, said John W. Bolin lived upon the aforementioned land consisting of said five hundred acres, and cultivated or had cultivated large portions of it each and every year until he died in 1917, and thereafter his heirs at law have been in possession of said five hundred acre tract of land cultivating portions of it, or having it cultivated each and every year, down to the time it was sold to

L. H. Ellis, through chancery proceedings in the Circuit Court of Shelby County, Alabama, in equity.

After Mr. John W. Bolin's death, W. W. Bolin, or some of the heirs, have actually resided on the land down to the present time, and W. W. Bolin, a son of John W. Bolin, is still living on a portion of the land and was living on it when it was sold through Chancery Court as aforesaid.

During all the forty year period above referred to, the possession of said five hundred acre tract of land by John W. Bolin, and his heirs after him, has been actual, open, notorious, continuous, exclusive and adverse, and there has never been any question about the fact that it did belong to Mr. John W. Bolin, and, after his death, to his heirs.

I might add that Chapel Church has an acre of the land lying in the north east corner of the north east quarter of the north east quarter of said Section 10, said church tract being one half acre wide east and west and one acre wide north and south.

Mr. John W. Bolin acquired the west half of the south west quarter of said Section 10 about 1905 and used it for fire wood and domestice purposes in connection with the five hundred acre tract of land. He cut or had cut fire wood on it each and every year for domestic purposes from the time he purchased it until the time of his death, and his heirs at law have made like use of said eighty acre tract since Mr. Bolin's death, down to the time it was sold through an order of court as above stated.

Mr. John W. Bolin's residence or dwelling house is located on the north east quarter of the north east quarter of said Section 10, and this house is just south of the Railroad; that is where Mr. John W. Bolin lived forty years ago, and where he continued to live, and where he lived until he died. Just across the road and on the north side of the railroad and on the south east quarter of the south east quarter of section three of said township and range, is a tenant house, which has been there forty years and Mr. Bolin, or his heirs at law, have had tenants in it, during and throughout that period. There is another tenant house on the north side of the railroad on the south west quarter of the south east quarter of said section 3, and that house has been used for tenants and tenants have occupied it in connection with the cultivation of the five hundred acre tract of land for forty years or more. Likewise, another tenant house is located on the east half of the south east quarter of the south west quarter of said Section 3, and that tenant house has been occupied by tenants continuously for the last forty years, which tenants were engaged in the cultivation or farming of said five hundred acre tract.

During the last forty years the greater portion of said five hundred acre tract has been in cultivation and that which was not in cultivation has been in pasture and used by Mr. Bolin, or his heirs after him, and since Mr. Bolin's death some of the land has not been cultivated but a greater portion of the north east quarter of said section ten is open and in cultivation, or subject to cultivation, and the same is true of the east half of the south east quarter of said section three. Other portions of the land are also in cultivation, or have been in cultivation, until recent years, and I mean by recent years since the death of Mr. John W. Bolin.

The John W. Bolin home place consisted of the north east quarter of section 10, the south east quarter of section 3, the east half of the north east quarter of section 3, the east half of the south west quarter of the north east quarter of section 3, and the east half of the east half of the south west quarter of section 3, all in Township 21 Range 1 East, and the south east quarter of the south east quarter of Section 34, Township 20 Range 1 East, and all of said lands are situated in Shelby County, Alabama.

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1941				,					V	<del></del>	·

C. T. Hughes

Grace Carter Notary Public

Filed for record in this office on the 19th day of July, 1941, at 10 o'clock A. M. and recorded in Deed Record #111, on page 646-47 and examined.

