
AFFIDAVIT

3280

STATE OF ALABAMA)

SHELBY COUNTY)

Before me, Frank Miller, a notary public in and for said county in said state, personally appeared J. D. RUFFIN, who is personally known to me, and who being by me first duly sworn deposes and says as follows:

My name is J. D. Ruffin. I am seventy-nine years of age and I have lived in Shelby County, Town of Helena, more than sixty years, continuously since eighteen hundred and seventy-eight. I am familiar with that certain tract of land described as follows:

Beginning at the southeast corner of Section 15, Township 20 South, Range 3 West; thence south 89 degrees 51 minutes west, and along the south line of said Section 15, 2,645.22 feet to the intersection of the west line of the East Half of said Section 15 with the said south line of said Section 15; thence north 1 degree 46 minutes west, and along the said west line of the said East Half of said Section 15; 632 feet to a point on the north line of the right of way of the Pelham-Helena Road; thence south 65 degrees 31 minutes west, and along the said north line of the right of way of the said road, 175.33 feet to a point; thence north 87 degrees 58 minutes west, and continuing along the said north line of the right of way of the said road, 249.62 feet to a point; thence north 4 degrees 41 minutes west 527 feet to a point; thence north 88 degrees 05 minutes east 437.96 feet to a point on the said west line of the said East Half of the said Section 15; thence north 89 degrees 41 minutes east 94.55 feet to a point; thence north 9 degrees 41 minutes west 218.4 feet to a point on the north line of the Southwest Quarter of the Southeast Quarter of said Section 15; thence north 89 degrees 52 minutes 30 seconds east, and along the north line of the South Half of the Southeast Quarter of said Section 15, 2,580.92 feet to a point on the east line of the said Section 15; thence south 89 degrees 59 minutes east, and along the north line of the Southwest Quarter of the Southwest Quarter of Section 14, Township 20 South, Range 3 West, 1,318.87 feet to the northeast corner of the said quarter-quarter section; thence south 1 degree 42 minutes east, and along the east line of the said Southwest Quarter of the Southwest Quarter of the said Section 14, 604.39 feet to a point; thence north 89 degrees 57 minutes west, and along a line parallel to the south line of the said Section 14, 605.01 feet to a point; thence south 1 degree 42 minutes east, and along a line parallel to the east line of the said Southwest Quarter of the Southwest Quarter of said Section 14, 720 feet to a point on the south line of said Section 14; thence north 89 degrees 57 minutes west, and along the south line of said Section 14, 712.32 feet to the point of beginning, containing 115 acres more or less.

The above tract was acquired by J. L. Lee, in part from his father Needham Lee and in part acquired from his niece Susan Cora Goodson Armstrong, about 1900. The said J. L. Lee from about 1900 to the time of his death approximately ten years ago continuously farmed all that part of the above described land lying in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, and in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15, Township 20 South, Range 3 West, either himself or through tenants; the said J. L. Lee and his tenants continuously farmed also that part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 15 lying South of the Pelham-Helena Road and West of the road which runs in a southerly direction therefrom; the said J. L. Lee and his tenants regularly cut and themselves used or sold wood from all that part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 15 not cultivated by them as aforesaid and from all that part of the above described land lying in Section 14, Township 20, Range 3 West, all of which is wooded and has never during that period been in cultivation. From the time of J. L. Lee's death, his children and other heirs have, through C. N. Lee as agent, leased to tenants all of the above described property, and said tenants have continuously during that period farmed the cultivated portions of the above described property, and have regularly cut and used or sold wood from the wooded portions of the above described property lying in said Section 14, all as aforesaid.

Substantially all of that part of the above described property lying in said Section 15 was during all of the times hereinabove mentioned enclosed in a fence; said fence, beginning at or near the southwest corner of the southeast quarter of Section 15, runs almost exactly north along the 40 line to the Pelham and Helena Road; north of the Pelham and Helena Road and running parallel with it, there is a fence running from the quarter section line south 65 degrees 31 minutes west 175.33 feet, and from thence continuing along said road north 87 degrees 58 minutes west 249.62 feet. Said fence then turns north 4 degrees 41 minutes west, and either runs along or encloses a line beginning at the last mentioned point and running in the said direction

527 feet; from thence the fence runs north 88 degrees 05 minutes east 437.96 feet to a point on the west line of the East Half of Section 15, and from thence North 89 degrees 41 minutes East 94.55 feet. From thence the said fence runs north 9 degrees 41 minutes west 218.4 feet to the north 40 line of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 15; from the last named point the fence runs almost exactly along the 40 line forming the northern boundary of the southern one-half of the SE $\frac{1}{4}$ of Section 15, to the East line of the said Section; from that point there is a fence running along the northern boundary of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 14, to the northeast corner thereof. From that point there remains a trace of a fence which ran almost along the eastern boundary of the said SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of the Section 14. There is also a fence beginning at or near the northeast corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 15, running from that point south to the southeast corner of Section 15, and from that point running west along the section line 2,645.22 feet to the southwest corner of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 15.

All the above described property was owned and used by Needham Lee or members of his immediate family for many years prior to 1900 and for as long as I have known it. The said J. L. Lee and his children have been in the open, public, notorious, continuous, exclusive, adverse and hostile possession of the above described property and all of it for about forty years.

I am familiar with the Mattie M. Leonard place. That property was conveyed by Needham Lee to Edward F. Lee, which conveyance is that recorded in Deed Book 24, page 379. Edward F. Lee subsequently conveyed that property to Mattie M. Leonard, his sister, which conveyance is that recorded in Deed Book 24, page 434. I know that that property so conveyed to Mattie M. Leonard did not at any time and does not now comprise any part of that above described; I know that neither Edward F. Lee nor Mattie M. Leonard never at any time either owned, occupied, possessed, used or claimed any part of the above described property.

Marquis Eugene Goodson, who was during her life known to me, was a daughter of Needham Lee and a step-daughter of Needham Lee's second wife, Martha Lee. Said Marquis Eugene Goodson is and for many years has been dead.

William R. Goodson, who during his life was known to me, was a son of Marquis Eugene Goodson. William R. Goodson died many years ago, and to the best of my knowledge he never had any children.

Susan Cora Armstrong, who during her life was known to me, was a daughter of Marquis Eugene Goodson. Her husband, who lived in Elliottsville below Siluria, and who during his life was known to me, has been dead many years.

James Lacey Lee, who during his life was known to me, was a son of Needham Lee, and a stepson of Needham Lee's wife Martha. He is the J. L. Lee to whom Susan Cora Armstrong conveyed a part of the above described property.

Needham Lee and his wife Martha have been dead forty years or more. Needham Lee's first wife, the mother of J. L. Lee, Edward F. Lee, and Susan Cora Armstrong died, to the best of my knowledge, before eighteen hundred seventy-eight.

Anna Lee Hill, Minnie Lee Fulmer and C. N. Lee were all children of James Lacey Lee; Mrs. Vera Lee Findley is a daughter-in-law of James Lacey Lee, and Emmett Lee, her first husband, was the eldest son of J. L. Lee.

J. D. Ruffin

Sworn to and subscribed before me this 9th day of November, 1940.

Frank Miller
NOTARY PUBLIC Ex Off. J. P.

Filed for record in this office on the 27th day of August, 1941, at 3 o'clock P. M. and recorded in Deed Record #112, on page 120 and examined.

 L. C. Walker, Judge of Probate.