#1051

STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me the undersigned authority G. G. Stewart, known to me, who being first duly sworn by me says on his oath as follows:

My name is G. G. Stewart, I am 60 years of age. I have lived near Pelham, in Shelby County, Alabama, parctically all my life. I am familiar with the lands comprising sections one and two, township 20, range 2, west in Shelby County. I am now shown an abastract affecting the title to portions of the northwest quarter of the southwest quarter of said section one and the north half of the southeast quarter of said section two, said portions abstracted therein being marked in red on a map attached to said abstract and lying between the A. B. & C. Railroad on the East and the Simsville-Columbiana road on the west. I am familiar with the different owners of this tract, or these tracts since the year 1920 or thereabouts. I remember that W. N. Hodgens purchased the easthalf of the northeast quarter of the southeast quarter of section 2, township 20, range 2, west from the Swiney family. I am shown, in the abstract, the memorandum of a deed recorded in the Deed Book 27 at page 256, Probate Records in Shelby County, Alabama, coveying this tract by W. N., J. R. and K. F. Swiney to W. N. Hodgens. It is dated October 18th, 1902. I am shown a memorandum on page 26 of the abstract of a deed by which W. N. Hodgens and his wife conveyed said tract to F. F. Farrell. This deed is dated January 10th, 1927, and is recorded in Deed Book 79 on page 340, Probate Records of Shelby County, Alabama. I know F. F. Farrell; and so far as I have ever heard or known W. N. Hodgens and his wife S. E. Hodgens held and owned said lands as aforesaid in open, notorious, undisputed and actual possession as aforesaid from 1902 down to 1927, and that F. F. Farrell owned, held and controlled that part of said east half of the northeast quarter of the southeast quarter of said section 2, township 20, range 2 west, which lies south and east of the A. B. & C. Railroad until he sold the same in 1940 to Mrs. H. P. Williamson. Said F. F. Farrell held said tract openly, notoriously, adversely, and undisputedly so far as I ever heard, for the period aforesaid, nor have I ever heard that anyone ever questioned or attacked the title of these said several owners of said tract during all of the years the aforementioned parties owned and held said tract.

I am also familiar with the ownership of the western portion of said tract marked in red on said map, that is with that portion of the west half of the northeast quarter of the southeast quarter of said section 2, township 20, range 2 west lying south and east of the A. B. & C. Railroad. I am shown a memorandum of a deed conveying this tract from Martha E. Davis to J. B. Stevens, said deed being dated August 21, 1919 and recorded in the Shelby County Probate Office in Deed Record Vol. 69 at page 20. This deed is shown on page 13 of the abstract. By it, Martha E. Davis and husband N. M. Davis conveyed said tract to J. B. Stevens. I remember him well and so far as I ever heard no one ever questioned or attacked said title of J. B. Stevens to said tract during his tenure of it which ended when J. B. Stevens and wife Minnie O. Stevens conveyed said tract to F. F. Farrell by deed appearing on page 17 of the abstract and dated March 12th, 1923 and is shown to be recorded in Deed Book 69 on page 634, Deed Records in the Probate Office of Shelby County, Alabama. F. F. Farrell conveyed this tract together with a small tract of land in-the southeast corner of the north west quarter of the southeast quarter of said section two (which he also had conveyed to him in the aforementioned deed from J. B. Stevens and wife) to Mrs. H. P. Williamson on April 9th, 1940. I know that J. B. Stevens and F. F. Farrell held these tracts of land openly, notoriously, adversely and undisputedly from 1923 down to 1940 as aforesaid nor did I ever hear of anyone questioning or attacking the title or possession of either Stevens or Farrell during said period or at any other time. The fact is that the ownership and possession of this farm bounded on the south by the east and west line between the north and south halves of the southwest quarter of section one and the east and west line dividing the north and south halves of the southeast quarter of section 2, township 20 range 2 West, and bounded on the east by said Simsville-Columbiana road, and on the north by the east-west line dividing sections one and two in north and south halves and approximately bounded on the west by the A. B. & C. Railroad, has passed on down quietly from one conveyor to another as shown by said abstract without

(Affidavit continued)

any dispute as to either ownership or possession arising from any source concerning the same that I have ever heard of during the past twenty-five years.

> G. G. Stewert Affiant

Sworn to and subscribed before me this the 14th day of January, 1942.

Filed for record in this office on the 23rd day of January, 1942, at 9 A. M. and duly recorded on the 24th day of January, 1942, in Deed Record No. 113, Page 35.

J. W. Moore Justice of the Peace in and for Shelby County, Alabama

L. C. Walker Judge of Probate

NO TAX DUE