

# 2214

AFFIDIVATE

STATE OF ALABAMA     )  
                               )  
 SHELBY COUNTY        )

Before me, the undersigned authority in and for said State and County, as aforesaid, personally appeared June Hodgens and Frank Farrell, who being duly sworn depose and say: that they reside in Shelby County, Alabama and that for a period of more than thirty years last past they have been acquainted with the ownership, occupancy of the following described real estate, to-wit:

The Northeast Quarter of the Southwest Quarter, The Southeast Quarter of the Northwest Quarter And South Half of the Northeast Quarter, less 12 acres along the east side of the Southeast Quarter of the Northeast Quarter in Section 2, Township 20, Range 2 West, containing 148 acres.

The Northwest Quarter of Southeast Quarter, less 3 acres in the Southeast corner, Section 2, Township 20, Range 2 West, containing 37 acres. All that part of the West Half of the Northeast Quarter of the Southeast Quarter of Section 2, Township 20, Range 2 West, which lies north of the A.B. & C.R.R. and containing 8 acres.

Situated in Shelby County, Alabama.

Affiants further say that J. B. Stevens purchased from C.D. Finley in 1921, the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of said Section 2, and C. O. Finley purchased said lands in 1921 from William D. Simms and that William D. Simms purchased said lands from J. T. Farrell in 1917, and John T. Farrell secured a patent from the Federal Government covering said lands in 1888.

Affiants further says that J. B. Stevens purchased from J. M. Mahan in 1920, the Northwest Quarter of the Southeast Quarter and the Northeast Quarter of the Southwest Quarter of Section 2, and J. M. Mahan purchased the same lands from the State of Alabama in 1920, and the State purchased said lands in 1913 at tax sale in the name of Henry Tate and Henry Tate received title from the United States Government in 1903.

Affiant further say that J. B. Stevens purchased the Southeast Quarter of the Northeast Quarter, except five acres on the east side, and also except 3/4 of an acre in the southeast corner of said 40; and also that part of the West Half of the Northeast Quarter of the Southeast Quarter lying north of the railroad, and that part of the East Half of the Northeast Quarter of the Southeast Quarter lying north of the railroad, from D. W. Boothe in 1919, and the said Davie W. Boothe, being the same party as D. W. Boothe, purchased said lands from John R. Swiney in 1919, and John R. Swiney bought one acre of the last described land in 1909 from W. N. Hodges, and John R. Swiney purchased the West Half of the Northeast Quarter of the Southeast Quarter of said Section 2 from W. N. Swiney in 1902, and the Northeast Quarter of the Southeast Quarter in 1899 from Cordelia Ryan and J. E. Roach.

Affiants further say that immediately after J. B. Stevens purchased the above described lands from the several parties heretofore named during the 1919, 1920 and 1921, that he immediately went into possession of said lands and used the same for farming purposes, and for several years as a dairy and cattle farm, and continued using the same for agricultural purposes, and was in possession either by residing upon said

property or by tenants up until the date of his death in February, 1941. Affiants further say that during the time that the said J. B. Stevens was the owner and in possession of said property, as aforesaid, there was no adverse claims or dispute as to the possession, right of possession or boundary lines insofar as your affiants knew.

Affiants further say that the several grantors heretofore named, Namely; C. O. Finley, J. M. Mahan, D. W. Boothe, and P. R. Boothe, respectively, were in the possession of the lands for a number of years prior to the sale of the same to the said J. B. Stevens, and that affiants have never known the right, title or interest of said respective owners to be questioned in any way as to this land.

Affiants further say that they know of their own personal knowledge that for more than thirty years last past, Mrs. Walton Smith, sometimes known as Eugenia Stevens Smith, and those through whom the said Mrs. Walton Smith holds title, namely: J. B. Stevens, C. O. Finley, J. M. Mahan, D. W. Boothe and P. R. Boothe, respectively, to the above described lands, have been respectively in the open, notorious, continuous, peaceable and adverse possession of said lands, claiming the same as their own, respectively, against all the world, and exercising acts of ownership over said lands by using the same for agricultural purposes, cultivation of crops and the woodland for timber for building purposes, and that affiants have never heard the title of said Mrs. Walton Smith, or those through whom she holds title to said lands to be questioned in any way.

W. W. Dickerson  
F. F. Farrell

Sworn to and subscribed before me on this the 31 day of March, 1942.

Jno. P. Lee  
Justice of the Peace, Shelby  
County, Alabama.  
(SEAL)

Filed in the office of the Probate Judge the 10th day of June, 1942 at 10 o'clock A. M. and recorded in the Deed Record 113 on page 379 this the 10th day of June, 1942.

L. C. Walker,

Judge of Probate

NO TAX DUE ON THIS INSTRUMENT