AFFIDAVIT

STATE OF ALABAMA )

SHELBY COUNTY

Before me, the undersigned authority, in and for said County and State, personally appeared Ola Oden, who is known to me and who being by me first duly sworn, deposes and says:

I am 44 years of age. I own the Northwest Quarter of the Northeast Quarter of Section 31, Township 20, Range 2 East, Shelby County, Alabama, except three acres in the Southwest corner thereof, which said three acre strip is 420 feet on the South side and 315 feet on the West side. In other words said strip is 420 feet by 315 feet, said 420 feet in length being East and West and said 315 feet in width being north and south. This land was deeded by Anniston Mercantile Company to Jule McCoy, my father, on the 20th day of October, 1913, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 52, at page 403.

My said father went into possession of said 37 acres of land described in said deed immediately after the execution thereof. He lived on it and cultivated a portion of it and other lands included in said deed up to the time of his death in 1914, and during said time was in the actual, open, notorious, continuous, exclusive and adverse possession of all of said forty except the aforementioned three acres. After my father's death I went into possession of this property as his heir along with my sister, whose interest I later acquired and have been in the actual, open, notorious, continuous, exclusive and adverse possession of

same, living upon it and cultivating portions of it each and every year to the present time and this applies to the entire forty under consideration except said three acres which belongs to Mr. L. C. McGaughey.

I was acquainted with Charlie Carter, who is now dead and Richard Davis. Said Richard Davis obtained a deed to the Northeast Quarter of the Northwest Quarter of Section 31, Township 20, Range 2 East, and three acres in the Southwest Quarter of the Northwest Quarter, Section 30, Township 20, Range 2 East, and three acres in the Southwest corner of the Northwest Quarter of the Northeast Quarter of Section 31, Township 20, Range 2 East on the 11th day of December, 1917, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 76, page 533. Richard Davis was a colored man and bought the lands for his father, Charlie Carter, to live on and Charlie Carter lived on said lands and had possession of the same as tenant of Richard Davis until said Charlie Carter died about two or three years ago. I have heard both Charlie Carter and Richard Davis say that the land belonged to Richard Davis who had merely bought it for his father to live on and said Charlie Carter never did have any interest in the land or title thereto other than as stated herein.

In said deed last above referred to said three acre tract of land, secribed as being 420 feet more or less on the South side and 315 feet more or less on the West side. As a matter of fact I am entirely willing that the three acres shall be described as being 420 feet long East and West and 315 feet wide North and South. Richard Davis went into possession of said property immediately upon the execution of said deed last above referred to through his father, Charlie Carter, who lived upon it and cultivated portions of it each and every year until he died two or three years ago, and during all of that time said Richard Davis was in the actual, open, notorious, continuous, exclusive and adverse possession of said property until he sold it and deeded it to J. F. Thompson on the 5th day of August, 1939, which deed is recorded in the Probate Office of Shelby County, Alabama, in Deed Book 107, at page 313.

Ola Oden

Sworn to and subscribed before me on this the 26th day of June, 1942.

L. H. Ellis

Filed for record in this office on the 28th day of July, 1942, at four o'clock P. M. and duly recorded in Deed Record Vol. 113, Page 476.

No tax due on this instrument

L. C. Walker, Judge of Probate